

Mark Brown

January 06, 2022

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER, et al., )  
)  
Plaintiffs, )  
)  
VS. ) CIVIL ACTION  
)  
CHIEF JOSEPH SALVAGGIO, et ) NO.: SA-18-CA-680-JKP-RBF  
al., )  
)  
Defendants. )

-----  
ORAL AND VIDEOTAPED DEPOSITION OF

MARK BROWN

JANUARY 6, 2022

(REPORTED REMOTELY)  
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ORAL AND VIDEOTAPED DEPOSITION OF MARK BROWN,  
produced as a witness at the instance of the DEFENDANTS,  
and duly sworn, was taken in the above-styled and  
numbered cause on January 6, 2022, from 9:10 a.m. to  
1:19 p.m., before Marta M. Johnson, CSR No. 10743, in  
and for the State of Texas, located in Boerne, Kendall  
County, Texas, reported by machine shorthand, the  
witness is attending from Tucson, Arizona, pursuant to  
the Federal Rules of Civil Procedure and the provisions  
stated on the record or attached hereto.

Exhibit  
A

REMOTE APPEARANCES

FOR THE PLAINTIFFS:

MR. AUSTIN M. REYNA, ESQ.  
GRABLE GRIMSHAW MORA PLLC  
603 Babcock Road  
Suite 280  
San Antonio, Texas 78229  
Phone: (210) 670-5994  
Austin@ggm.law

FOR THE DEFENDANT:

MR. ADOLFO RUIZ, ESQ.  
DENTON NAVARRO ROCHA BERNAL & ZECH  
2517 North Main Avenue  
San Antonio, Texas 78212  
Phone: (210) 227-3243  
Fax: (210) 225-4481  
Aruiz@rampagelaw.com

FOR THE DEFENDANT:

MR. HECTOR X. SAENZ, ESQ.  
LAW OFFICES OF CHARLES S. FRIGERIO  
111 Soledad  
Suite 840  
San Antonio, Texas 78205  
Phone: (210) 271-7877  
Fax: (210) 271-0602

ALSO PRESENT:

Dave Bailey  
Kevin Egan  
Jason Green  
Juan Gonzales, Jr.  
Hector Saenz  
Luis Valiente - Paralegal  
Joelle Thomas - GZ-GGM Legal  
Russell Zinter - Sasquatch  
G2 Paralegal  
Jack Miller  
Greg Gardiner  
Jonathan Green

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1 channel. But my channel was down for -- where I  
2 couldn't do any livestreaming.

3 Q. So is it a YouTube channel?

4 A. It was a -- my YouTube channel, Tucson Police  
5 Suck.

6 Q. Okay. And then on that YouTube channel --  
7 before you came to Leon Valley, you were, I guess,  
8 livestreaming Tucson police doing, I guess, activity  
9 and -- and city employees as well?

10 A. Yeah. Court -- I cop watch. I go to the city  
11 courts, mainly for my own court date, you know. And my  
12 own -- you know, I always film --

13 Q. Okay.

14 A. -- my own activity with them, but -- and court  
15 date -- courts, police stations, and then cop watching,  
16 you know. I never did a traditional audit. I don't  
17 consider myself an auditor. I don't go to post offices,  
18 you know. I don't do none of that.

19 Q. Okay. So the -- have you ever been -- you  
20 indicated some, I guess, encounters with the Tucson  
21 Police Department. Have any of those encounters  
22 involved you carrying a concealed weapon or a sidearm or  
23 a rifle or anything?

24 A. No.

25 Q. Okay.

1 Q. Okay.

2 A. I can't -- I don't control what happens ever,  
3 you know. I just film them and -- and how they react is  
4 how they react. And -- and I never ever come up and  
5 start something first. They -- always when they start  
6 on with me is when I'll even return words with them.  
7 I -- I never -- I never say nothing to them.

8 Q. Okay. Let's see. So when you came to Leon  
9 Valley the first time, was it a -- I guess an organized  
10 event that James Springer told you about?

11 A. No. There -- there wasn't no organized event  
12 until after that.

13 Q. Okay.

14 A. I think that's why they organized the event was  
15 because of what they did to me. No. I was just there  
16 in the area. And I -- I never -- any of the people  
17 involved in the Leon Valley or this -- in this lawsuit,  
18 I didn't know any of them except for James Springer. He  
19 was the only one out of the bunch that I actually knew.

20 Q. Okay. And when you mentioned your YouTube  
21 channel, is that still active now? Do you still have  
22 it?

23 A. Yes, it is.

24 Q. Okay. Do you have anybody who moderates or who  
25 is a moderator while you're livestreaming?

1           A. We walked over to Leon Valley, right up to the  
2 steps, and Jesus Padilla couldn't -- he was trespassed  
3 from there, so he couldn't go on the property. He  
4 stayed on the sidewalk. So he walked over to the  
5 sidewalk to the one end. I don't even know what  
6 direction that is, but further away from the Bandera  
7 or -- which Walgreens was on. And he stood on that  
8 corner on the sidewalk, and I just went right up and  
9 then -- to go inside.

10                       If I remember right, somebody opened the  
11 door for me. I had both cameras in my hand and up --  
12 probably about my head level or a little bit more, so I  
13 had both my hands occupied and up.

14                       So a guy -- the guy opened the door for me,  
15 and then I walked in the first door -- there's a first  
16 door and then there's a second door to go in -- so I  
17 just opened that first door and walk in there, and  
18 that's when I was attacked.

19                       I don't even think I was in there much more  
20 than 15 seconds or so. I never got to the second door,  
21 you know. Then they came out. That one short Hispanic  
22 guy with a mustache, I can't remember his name, and then  
23 that -- and then the officer that later became known as  
24 Azar, them two are the one that came out.

25                       Well, he came out and just started poking

1 Q. Okay. So if the -- if Juan Padilla and  
2 Jack Miller -- well, let -- let me rephrase my question.

3 I think you indicated you do not know  
4 what -- what -- let me ask the question again.

5 With regard to Mr. Padilla and Mr. Miller,  
6 and correct me if I'm mistaken, is that you don't know  
7 if they were solely arrested just because they were  
8 videotaping police officers --

9 MR. REYNA: Objection, form.

10 Q. (BY MR. RUIZ) -- would that be --

11 MR. REYNA: You can answer.

12 Q. (BY MR. RUIZ) -- would that be a fair  
13 statement?

14 A. No. I don't -- I don't know the motivation of  
15 the chief that arrested him in -- and he was there on  
16 both occasions that -- he was there when they raided  
17 Jack Miller's house and he was there when they arrested  
18 Padilla. Yeah. His motivations of why, you know, he  
19 don't like cameras. He don't like whatever he don't  
20 like, you know, you're going to have to ask him. I  
21 don't know his motivation.

22 Q. Okay. Could it -- do you believe that there  
23 was the -- the Chief Salvaggio's motivation, or that he  
24 was following orders from the City, do you know if --  
25 if -- either one of those?

1 A. I have no idea.

2 MR. REYNA: Objection, form.

3 You can answer.

4 THE WITNESS: Yeah. I have no idea what  
5 Chief Salvaggio thinks. I mean, even after watching all  
6 his depositions, I mean, I don't know what he really  
7 thinks. He don't say what he really thinks.

8 Q. (BY MR. RUIZ) Okay. So were there any actions  
9 on your part that could have been interpreted by the  
10 Leon Valley police that you were not either following  
11 directions or interfering in an arrest or those charges  
12 that were brought against you?

13 MR. REYNA: Objection, form.

14 You can answer.

15 THE WITNESS: Yeah. Absolutely not. I  
16 mean, there's -- there was no -- I didn't do nothing  
17 illegal. I was just standing there with two cameras.  
18 That's all I was doing. I didn't even get inside the  
19 building.

20 Q. (BY MR. RUIZ) Okay.

21 A. And then the Officer Azar said you -- I could  
22 not -- I'm going to stand out here. And she said, "You  
23 can stand right there." So they -- they even gave me  
24 the permission to, but then they attacked me.

25 Q. Okay. And do you think if they were videotaped



1 getting --

2 Q. Okay.

3 A. -- I was getting pummeled. I couldn't tell you  
4 whether it was kneed, kicked, punched, you know, because  
5 it was just so fast and I was surrounded.

6 Q. Okay. Now, I think you indicated that -- now,  
7 we talked about the -- the -- the videotaping and the  
8 City policy that -- that you believe that the City has a  
9 policy of I -- and correct me if I'm mistaken, that the  
10 City has a policy to arrest anyone who is videotaping.  
11 Is that a -- was that your testimony or did I get that  
12 correct?

13 A. I don't know what their policy is.

14 MR. REYNA: Objection, form.

15 You can answer.

16 Q. (BY MR. RUIZ) Okay.

17 A. Yeah. I don't know what their policy is  
18 exactly, other than, you know, that -- during the  
19 deposition, that policy they put out on June 14th, the  
20 exact same day they beat me about that being a  
21 courthouse or all that policy was put out the same day;  
22 I'm assuming that was done after because I didn't know  
23 anything about none of that. I didn't even know that  
24 one policy was -- existed, the one they put on June 14,  
25 2018, the same day they beat and tased me, I don't -- I

1 don't -- I didn't know about that until these  
2 depositions.

3 Q. Okay. And -- and so -- so are you assuming  
4 that that's the City policy?

5 A. I don't know.

6 Q. Okay.

7 A. I don't -- Leon Valley, I don't think they have  
8 a policy. They just do what they want.

9 Q. Okay.

10 A. I think that's their policy, to do whatever  
11 feels good.

12 Q. Okay. Why do they -- why do you think the Leon  
13 Valley police officers arrested you?

14 A. I have no idea why -- why they -- they -- they  
15 arrested me to shut my camera off, I guess, to keep me  
16 from filming Jesus Padilla from being arrested. And,  
17 like I said, when they came out and was circling, I  
18 thought that -- I didn't know they was going after him,  
19 you know. Like I said, I was closer to him at the time  
20 so like the -- that one guy in deposition said that I  
21 moved 20 feet closer. That was a lie. I was -- I was  
22 closer to them the whole time until they circled around  
23 me and then grabbed him. And I didn't know they was  
24 going after him. He was never on their property. He  
25 was always on the sidewalk.

1           A. June 18th, I -- I was trespassed there so -- so  
2 we went there and I was just basically on the outskirts,  
3 everything that happened in there was them guys -- I was  
4 watching some of it on livestream from -- you know, from  
5 right off there, but -- but I couldn't -- I couldn't go  
6 on the property --

7           Q. Okay.

8           A. -- so I never stepped on Leon Valley property  
9 since -- since June 14th.

10          Q. Okay. So why -- why did you go to Leon Valley  
11 on June 18th?

12          A. It was four days after and I did -- and I got  
13 my other rent-a-car and -- and I was there, I think  
14 James Springer, Texas Wolfman, there was about five or  
15 six people. Brandon -- oh, what's his last name?  
16 Ethics Instead, Brandon-something, he was there. And  
17 they was basically going there to do protests there  
18 out -- out on the sidewalk. And then the people that  
19 wasn't trespassed went in -- you know, up on the  
20 property into the lobby, I believe, that first -- the  
21 first set of doors that -- where they threw me out of,  
22 they went in there.

23          Q. But I'm -- I'm asking you, so why did you go  
24 there on -- on June 18th?

25          A. Oh, I went there -- I couldn't go inside. I

1 just went there to support. And -- and, actually, they  
2 was protesting somewhat what they did to me. And, of  
3 course, I wasn't too happy what they did to me either,  
4 so --

5 Q. Okay.

6 A. -- I would have probably been in there if I  
7 wasn't trespassed, you know.

8 Q. Okay. And so you went there to -- I guess, to  
9 support -- and -- and who told you that they were going  
10 to gather on June 18th?

11 MR. REYNA: Objection, form.

12 You can answer.

13 THE WITNESS: Yeah. I can't remember  
14 because the following Tuesday -- I can't remember what  
15 the 18th was, but -- was that -- on Tuesday was the city  
16 hall meeting. And I know I went to that, too, and I was  
17 on the outside, you know. That was the Tuesday  
18 following June 14th. And then -- because on the  
19 Wednesday I had to be back in Tucson, so everything that  
20 I did, I couldn't be there for the June 23rd incident  
21 that happened that Saturday because I had to be back in  
22 Tucson. We had to be to work by Thursday --

23 Q. (BY MR. RUIZ) Okay.

24 A. -- my girlfriend, and then -- and me, I had  
25 jobs, so I had to be back in Tucson. So we left, I

Mark Brown

January 06, 2022  
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1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF TEXAS  
3 SAN ANTONIO DIVISION

3 RUSSELL ZINTER, et al., )  
4 Plaintiffs, )  
5 VS. ) CIVIL ACTION  
6 ) NO.: SA-18-CA-680-JKP-RBF  
7 CHIEF JOSEPH SALVAGGIO, et )  
8 al., )  
9 Defendants. )

10 REPORTER'S CERTIFICATION  
11 DEPOSITION OF MARK BROWN  
12 JANUARY 6, 2022  
13 REPORTED REMOTELY

13 I, Marta M. Johnson, Certified Shorthand Reporter  
14 No. 10743, in and for the State of Texas, hereby certify  
15 to the following:

16 That the witness, MARK BROWN, was duly sworn by the  
17 officer and that the transcript of the oral deposition  
18 is a true record of the testimony given by the witness;

19 That the deposition transcript was submitted on  
20 \_\_\_\_\_ to the witness or to the attorney  
21 for the witness for examination, signature and return to  
22 me by \_\_\_\_\_;

23 That the amount of time used by each party at the  
24 deposition is as follows:

25 MR. AUSTIN M. REYNA, ESQ. - 00 HOURS:00 MINUTE(S)  
MR. ADOLFO RUIZ, ESQ. - 03 HOURS:15 MINUTE(S)

1 MR. HECTOR X. SAENZ, ESQ. - 00 HOURS:42 MINUTE(S)

2 That pursuant to information given to the  
3 deposition officer at the time said testimony was taken,  
4 the following includes counsel for all parties of  
5 record:

6 MR. AUSTIN M. REYNA, ESQ., Attorney for  
Plaintiffs  
7 MR. ADOLFO RUIZ, ESQ., Attorney for Defendant  
8 MR. HECTOR X. SAENZ, ESQ., Attorney for  
Defendant

9 That \$\_\_\_\_\_ is the deposition officer's  
10 charges to the Defendants for preparing the original  
11 deposition transcript and any copies of exhibits;

12 I further certify that I am neither counsel for,  
13 related to, nor employed by any of the parties or  
14 attorneys in the action in which this proceeding was  
15 taken, and further that I am not financially or  
16 otherwise interested in the outcome of the action.

17 Certified to by me this 23rd day of January, 2022.

18  
19  
20 

21 Marta M. Johnson, Texas CSR 10743  
22 Expiration Date: 10/31/22  
23 Firm Registration No. 633  
24 Magna Legal Services  
16414 San Pedro, Suite 900  
25 San Antonio, Texas 78232  
210.697.3400 210.697.3408 fax

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**RUSSELL ZINTER; ET AL.**

**Plaintiffs,**

**v.**

**CHIEF JOSEPH SALVAGGIO; ET AL.**

**Defendants.**

§  
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§

**CIVIL NO. SA-18-CA-680-JKP-RBF**

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**DEFENDANT CITY OF LEON VALLEY'S  
MOTION FOR SUMMARY JUDGMENT**

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**PLACEHOLDER FOR EXHIBIT B**

**BODY WORN CAMERA VIDEO RECORDING  
SGT. JOEL URDIALES [COLV 00014]**

**PURSUANT TO AGREED CONFIDENTIALITY  
AND PROTECTIVE ORDER  
ENTERED ON 10/30/2020 [DKT. 82]**




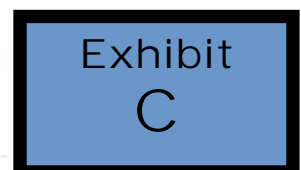
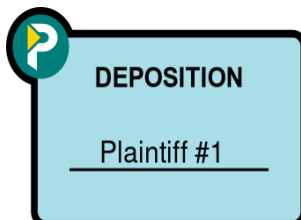
**STANDING ORDERS GOVERNING COURT DECORUM  
LEON VALLEY MUNICIPAL COURT**

**IT IS ORDERED THAT:**

- Order shall be maintained at all times while conducting court business appearing before the court or court staff. Violation of this rule can result in a reprimand by the Judge, expulsion from the courtroom and/or Court Staff working area, or a contempt citation.
  - A. Unless an attorney is making an objection, only one person may speak at a time.
  - B. No one may talk while the Judge is talking.
  - C. Participants will address the Court, Prosecutor, Bailiff, and Court Staff with respect.
- Absolutely no weapons shall be brought into the courtroom and areas surrounding the courtroom. Commissioned peace officers may bring weapons into the courtroom. The Judge and Bailiff shall have the discretion to have any weapon removed from the courtroom.
- In order to maintain cleanliness and decorum in the courtroom, no open containers of food or drink shall be consumed in or brought into the courtroom, except with permission of the Judge.
- All persons in the courtroom shall be seated, except when addressing the Judge or Jury, when a seat is not available, when directed to rise by a court officer, or with permission of the Judge.
- All persons shall dress appropriately for all court proceedings. Inappropriate attire includes but is not limited to clothing with inciteful, or obscene language or images, pants that sag and/or expose undergarments, tank tops, cut-off shorts, pajamas, and clothing that is dirty or unsanitary. Shoes shall be worn at all times. No hats, caps or sunglasses shall be worn in the courtroom except with permission of the Judge.
- All electronic devices shall be turned off or in silent mode. Any devices which interferes with the Court's operation may be confiscated, and will be returned to the owner at 5:00 p.m. Upon confiscation of all electronic devices the **City of Leon Valley Texas is not responsible** for the condition of the device upon return to the owner.
- Taking photographs and audio and/or video recording in the courtroom and court business areas are strictly prohibited, unless authorized by the Court. Violation of this rule **SHALL** result in a reprimand, expulsion from the courtroom, or a contempt citation.

So Ordered this 14th day of June, 2018.

  
**LAWRENCE G. MORALES**  
Presiding Judge  
City of Leon Valley



**Def Officers Bates No. 000003**



# Incident Report

LEON VALLEY POLICE DEPARTMENT

CFS #201803857

Incident #201803857

## Administrative:

Date Reported: 6/14/2018 CFS#: 201803857  
 Location Address: **6400 EL VERDE RD**  
 City: LEON VALLEY State: TX Zip: 78238 District: 3 Beat: Grid:  
 Location: **LEON VALLEY POLICE DEPARTMENT**  
 Occurrence From: 06/14/2018 @ 13:45 To: @ Day of Week: THU  
 Status Date: 6/14/2018 Status: **CLEARED BY ADULT ARREST**  
 Type: 48 Description: **OTHER OFFENSE / INCIDENT**

Reportee: **RAYNES, RENE** Address: 6400 EL VERDE  
 Race: W Sex: F LEON VALLEY, TX 78238  
 DOB: Offense Age: Home Phone: (210)684-1391 Work Phone:  
 Current Age: Mobile Phone:

Source of Call:	Time Received:	Time Dispatched:	Time Arrived:	Time Cleared:
Reporting Officer 1 ID: 1176	Name: VASQUEZ #552			
Reporting Officer 2 ID:	Name:			
Investigating Officer ID: 1260	Name: BROOKS, TERRY 521			
Entered By: 1176	Entered Date: 6/14/2018			

## Offense:

Offense: **INTERFERENCE W/PUBLIC DUTIES**

Statute: 38.15(a) Code: PC Penalty: MB

### Offense M.O.

Type of Location: GOVERNMENT/PUBLIC BUILDINGS Forced: No  
 Point of Entry: Offender Used: Not Applicable  
 Method of Entry: Bias Motivation: ANTI-NONE  
 Family Violence: No Weapons Involved:  
 Entered By: 1176 Entered Date: 6/14/2018  
 Offense Note:

## Victim:

Victim Type: SOCIETY/PUBLIC

Business: **STATE OF TEXAS**

07/19/2018 12:05

6400 EL VERDE RD LEON VALLEY, TX 78238

Page 1 of 10

DEFT COLV 00122

Exhibit  
D

## LEON VALLEY POLICE DEPARTMENT

CFS #201803857

Incident #201803857

Name: Address: 6400 EL VERDE  
 Race: Sex: LEON VALLEY, TX 78238  
 DOB: Offense Age: Home Phone: Work Phone:  
 Current Age: Mobile Phone:

Injuries:

Entered By: 1176 Entered Date: 6/14/2018

Victim Note:

**Offender:**

Relationship of Victim to Offender: STRANGER

Address: 5701 WYOMING

Name: **BROWN, MARK, DAVID**

TUCSON, AZ 85757

Race: W

Sex: M

Home Phone:

Work Phone:

DOB: 7/14/1962

Offense Age: 55

Mobile Phone:

Juvenile: N

Current Age: 56

NO IMAGE  
AVAILABLE

SSN: Hgt: 6'07" Wgt: 230 Skin Tone: Face Hair:  
 LID: Hair: BRN Eyes: BRO Resident: Citizen:  
 DL#: B14355694 DL State: AZ DL Type:

License Number: Year: Make:  
 License State: Color: Model:  
 License Year: VIN: Style:

Entered By: 1176 Entered Date: 6/14/2018

Offender Note:

**Offense:**Offense: **RESIST ARREST SEARCH OR TRANSPORT**

Statute: 38.03(a)

Code: PC

Penalty: MA

**Offense M.O.**

Type of Location: GOVERNMENT/PUBLIC BUILDINGS

Forced: No

Point of Entry:

Offender Used: Not Applicable

Method of Entry:

Bias Motivation: ANTI-NONE

Family Violence: No

Weapons Involved: PERSONAL WEAPONS

Entered By: 1176

Entered Date: 6/14/2018

Offense Note:

**Victim:**

Victim Type: LAW ENFORCEMENT OFFICER

Business:

Name: **VASQUEZ #552,**

Address: 6400 EL VERDE RD

Race: W

Sex: M

LEON VALLEY, TX 78238

DOB:

Offense Age: BB

Home Phone:

Work Phone: 2106843215

Current Age:

Mobile Phone:

NO IMAGE  
AVAILABLE

Injuries: NONE - - - -

Entered By: 1176 Entered Date: 6/14/2018

Victim Note:

**Offender:**

07/19/2018 11:59

6400 EL VERDE RD LEON VALLEY, TX 78238

Page 2 of 10

DEFT COLV 00123

## LEON VALLEY POLICE DEPARTMENT

CFS #201803857

Incident #201803857

Relationship of Victim to Offender: STRANGER

Address: 5701 WYOMING

Name: **BROWN, MARK, DAVID**

TUCSON, AZ 85757

Race: W

Sex: M

Home Phone:

Work Phone:

DOB: 7/14/1962

Offense Age: 55

Mobile Phone:

Juvenile: N

Current Age: 56

SSN:

Hgt: 6'07"

Wgt: 230

Skin Tone:

Face Hair:

LID:

Hair: BRN

Eyes: BRO

Resident:

Citizen:

DL#: B14355694

DL State: AZ

DL Type:

License Number:

Year:

Make:

License State:

Color:

Model:

License Year:

VIN:

Style:

Entered By: 1176

Entered Date: 6/14/2018

Offender Note:

**Property:**

Quantity	Type	Description	Brand / Model / Color	VIN / Serial#	Loss Value	Recovered
1	EVIDENCE	MONEY			0.00	
Entered By: 1176 Entered Date: 6/14/2018 / /						
Property Note:						
\$310.00						
1	EVIDENCE	PURSES/HANDBAGS/WALLETS			0.00	0.00
Entered By: 1176 Entered Date: 6/14/2018 / /						
Property Note:						
WALLET						
1	EVIDENCE	CREDIT/DEBIT CARDS			0.00	0.00
Entered By: 1176 Entered Date: 6/14/2018 / /						
Property Note:						
3 MASTERCARDS						
3 VISA CARDS						
1 DISCOVER CARD						
1 AMERICAN EXPRESS						
1	EVIDENCE	IDENTITY DOCUMENTS			0.00	0.00
Entered By: 1176 Entered Date: 6/14/2018 / /						
Property Note:						
VA CARD						
ARIZONA DEPARTMENT HEALTH SERVICES						
ARIZONA MEDICAL MARIJUANA PROGRAM ID						
ARIZONA DL B14355694						
1	EVIDENCE	AUTOMOBILES			0.00	0.00
Entered By: 1176 Entered Date: 6/14/2018 FORD / TAU / BRN 1FAHP2F84JG109664						
1	EVIDENCE	OTHER			0.00	0.00
Entered By: 1176 Entered Date: 6/14/2018 / /						
Property Note:						
3 charging adaptors						
1 multi plug outlet with 1 usb cord						
1080 fhd camera w 8 gb sd card						
ikross usb electronic stand						

## LEON VALLEY POLICE DEPARTMENT

CFS #201803857

Incident #201803857

2	EVIDENCE	RECORDINGS-AUDIO/VISUAL	0.00	0.00
---	----------	-------------------------	------	------

Entered By: 1176	Entered Date: 6/20/2018	/ /
------------------	-------------------------	-----

Property Note:

1 BLACK TABLET

1 CELL PHONE

Stolen: \$0.00

Recovered: \$0.00

Damaged: \$0.00

**Involved:**

Code: SUSPECT 1

Address: 11555 W CULEBRA 360

Name: PADILLA, JESUS

SAN ANTONIO, TX 77906

Race: W

Sex: M

Home Phone:

Work Phone:

DOB: 6/30/1990

Offense Age: 27

Current Age: 28

Mobile Phone:

DL#: 28082240

DL State: TX

Employer:

Occupation:

Entered By: 1176

Entered Date: 6/14/2018

**Arrest:**

Arrest#: 201803857

Date Arrested: 6/14/2018

Time Arrested: 13:45

Cell No:

Date Released:

NO IMAGE  
AVAILABLE

Name: BROWN, MARK, DAVID

Address: 5701 WYOMING

Race: W

Sex: M

TUCSON, AZ 85757

DOB: 7/14/1962

Arrest Age: 55

Home Phone:

Work Phone:

Juvenile: N

Current Age: 56

Mobile Phone:

Caution:

DL#: B14355694

DL State: AZ

DL Type:

Employer:

Occupation:

Arrest Location: 6400 EL VERDE

City: LEON VALLEY

District: 3

Agency: LEON VALLEY POLICE DEPARTMENT

Arresting Officer: 1176

VASQUEZ #552

Booking Officer:

Transfer Officer:

Entered By: 1176

Entered Date: 6/14/2018

**Charge(s):**

INTERFERENCE W/PUBLIC DUTIES

Statute: 38.15(a)

Code: PC

Penalty: MB

Charge Note:

RESIST ARREST SEARCH OR TRANSPORT

Statute: 38.03(a)

Code: PC

Penalty: MA

Charge Note:

Arrest Narrative:

**Narrative:**

R - Rene raynes

AP - Mark Brown

SP - Jesus Padilla

LEON VALLEY POLICE DEPARTMENT

CFS #201803857

Incident #201803857

During shift briefing at Leon Valley Police Department (6400 El Verde) on 06/14/2018 at 1345 hours, Leon Valley Municipal Court receptionist R announced over the intercom "we need officers to the front immediately!" Officer Yarbrough and I ran to the front Municipal Court Lobby to investigate and navigated thru the crowd due to court being in session. As I approached the front doors of the Municipal Court Lobby, I observed SP standing near the front steps outside of the Municipal court doors with a cell phone in hand. As I exited the building, I saw Detectives attempting to take into custody SP, while AP was standing in close proximity video recording SP's arrest. I then observed Detective J. Wells make contact with AP and repeatedly told him to put his hands behind his back. AP refused Detective Well's command and continued filming SP's arrest. Detective Wells then attempted to arrest AP, while still giving the commands to put his hands behind his back and to stop resisting. I then assisted Detective J. Wells in giving the same commands to AP, to put his hands behind his back and to stop resisting. AP then began to pull away his arms and used his body weight (6'7" 230 lbs) to resist being subdued and arrested by police officers. Officer Farias made the scene and managed to place AP on the ground with AP falling on top of Officer Farias. While on the ground, the AP continued to pull his arms away and place them underneath himself. As officers continued to arrest AP, AP began to violently kick and thrash his body weight forcibly to prevent himself from being arrested. Due to multiple officers struggling to subdue and arrest AP, and it was unknown if AP was in possession of any weapons, I used my electronic control device (taser) and performed a drive stun on AP's back side of his body, lower abdomen. As the electronic control device (taser) stopped after five seconds, AP continued to resist with officers so I re-applied the electronic control device (taser) drive stun and AP complied. AP then stated he couldn't move, so Leon Valley EMS was called out and AP was placed in EMS unit accompanied by Officer Yarbrough. AP was then transported to University Hospital.

AP was arrested for Interference with Public Duties, due to him being ordered repeatedly by Det. J. Wells and officers to move back while SP was being arrested. AP continued to disregard officers' commands and interefered by video recording SP's arrest within a several feet of officers arresting SP, possibly resulting in injury to himself, SP or officers.

AP was also charged with resisting arrest due to him refusing to comply with officers' repeated commands, and by using his body weight in a thrashing manner to prevent arrest.

AP was given a criminal trespass warning to all Leon Valley Facilities thereof:

CITY OF LEON VALLEY MUNICIPAL COURT OFFICES AND POLICE DEPARTMENT  
: 6400 EL VERDE RD

LEON VALLEY POLICE DEPARTMENT

CFS #201803857

Incident #201803857

CITY OF LEON VALLEY FIRE DEPARTMENT : 6300 EL VERDE RD  
 CITY OF LEON VALLEY LIBRARY : 6425 EVERS RD  
 CITY OF LEON VALLEY COMMUNITY : 6427 EVERS RD  
 CITY OF LEON VALLEY CONFERENCE CENTER : 6421 EVERS RD  
 CITY OF LEON VALLEY PUBLIC WORKS : 6429 EVERS RD  
 CITY OF LEON VALLEY PARK : 6440 EVERS  
 ALL LOCATIONS ARE IN LEON VALLEY TX 78238

Attached items placed in evidence locker as evidence

AP's vehicle was towed to 6429 Evers road for safe keeping from 6635 Bandera

Following property was given to me by Captain Saucedo in regards to the vehicle tow inventory:

3 charging adaptors  
 1 multi plug outlet with 1 usb cord  
 1080 fhd camera w 8 gb sd card  
 ikross usb electronic stand

see report for SP arrest 201803859

**Supplement:** R. Parra 520

On 06/14/2018, I was off duty departing the Leon Valley Police Department. As I was turning east bound on El Verde Rd, I observed SP in front of the main entrance of 6400 El Verde Rd in which I knew Municipal Court was in session. I also knew SP to have an active Criminal Trespass Warning for the Leon Valley Municipal Court building. I observed SP then step onto the Leon Valley Municipal Court building property. As I was exiting my personal vehicle to make contact, Sgt Urdiales then placed SP in custody. I then assisted Officer Vasquez, Sgt Burleson, Detective Wells, and Cpl Farias in restraining AP, who was resisting arrest. After Officer Vasquez performed a drive stun on AP with his Taser, we were able to place him into custody.

Officer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Supplement:** Cpl. L. Farias 534

On 06-14-2018 at approximately 1345 hrs, I was contacted via cell phone by Officer R. Parra. R. Parra, who had just ended his shift and was in his personal vehicle and leaving the police station. Officer R. Parra advised me that he observed 'Jesus Padilla' (SP) outside of our City Hall and Police Department. SP is well known for having a criminal trespass warning issued to him for not being allowed on any Leon Valley city property. He has had multiple arrest from the Leon Valley Police Department for criminal trespass and harassment of a police officer.

I made my way to the front of City Hall to assist Officer Parra, where I observed Officer J. Vasquez,

LEON VALLEY POLICE DEPARTMENT

CFS #201803857

Incident #201803857

Officer C. Yarbrough, Sgt. Urdiales and Officer R. Parra attempting to restrain a white male later identified as AP. I clearly heard officers give instructions to AP to quit resisting multiple times, while they were attempting to place his hands behind his back so they can arrest him. After repeated commands were not followed, I grabbed AP to assist other officers and placed him on the ground in an attempt to arrest him. AP collapsed on top of me and Officer J. Vasquez warned AP several times that he was going to deploy his taser in order to restrain him. After AP failed to comply with officers' commands, Officer J. Vasquez conducted a drive stun to his lower back area. This Taser deployment gave Officers the opportunity to place AP in handcuffs, without further incident.

AP complained of injuries, so Leon Valley EMS was called to the scene. They evaluated him and transported him to the University Hospital. Officer C. Yarbrough accompanied AP. No further action by this officer.

Officer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Supplement: C.Yarbrough #565**

On Thursday June 14, 2018 at 1345 Hours, I responded to the front of 6400 El Verde for an assistance call, I observed Detective Wells struggling with AP1 as I exited the building. AP1 began pulling aware and resisting the application of hand cuffs as other officers arrived on the scene. AP1 was then assisted to the ground, while on the ground AP1 refuse to comply with the application of the handcuffs again. Officer Vasquez # 552 then dry stunned AP1 on the left side of AP1's lower back twice. Due to AP1 not removing his left hand from under his body. I was then able to control AP1's left arm and reposition it behind his back as I yelled, "stop resisting!" AP1 complied with the orders and I was able to apply the left handcuff onto AP1 behind his back. AP1 was then turned onto his right side, but turned himself on to his back. I then requested EMS to our location for an assessment at the scene. Prior to the arrival of EMS AP1 was assisted to his feet but refused to stand under his own power.

AP1 complained of pain in his legs and stated he could not stand as he kicked his legs. EMS arrived and AP1 was assisted onto a gurney and secured in the ambulance. I stayed with AP1 for security purposes in the ambulance and the hospital. While in the ambulance AP1 refused to answer any questions from the paramedic crew. AP1 was then transported to University Hospital.

While at University Hospital, I read AP1 a criminal trespass warning advising the location and addresses of the property AP1 was prohibited from in The City of Leon Valley, Texas AP1 stated he would die and he didn't know where the properties were located.

Officer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Supplement: K Burleson #517**

On Thursday, June 14, 2018 at shift change I was conducting roll call when R called over the intercom that she needed officers up front immediately. Officer Vasquez, Officer Yarbrough and I proceeded into

LEON VALLEY POLICE DEPARTMENT

CFS #201803857

Incident #201803857

the front lobby of the Municipal Court where I observed officers outside attempting to detain two parties, SP and AP. I could see officers telling them to put their hands behind their backs. Detective King, Detective Brooks and Sgt. Urdiales were observed detaining SP but already had him under control. Detective Wells and Officer Vasquez were attempting to detain AP but AP was pulling away and appeared to be trying to break free from their hold. I saw Officer Parra emerge from the left in an attempt to help take AP into custody. AP continued to yell and refused to comply with requests to stop resisting as he pushed and pulled away from officers attempting to detain him. I put my hand on his left arm in an attempt to assist, but then saw Cpl. Farias jump in from the front taking AP to the ground. AP fell on top of Officer Farias. Officers kept giving verbal commands to stop resisting as we attempted to gain control of AP. AP kept jerking back and forth in an attempt to get free. I heard Officer Vasquez advise of Taser deployment. I got into position to place handcuffs on AP. I was able to get him handcuffed. I then stood by with Officers until EMS arrived to evaluate AP. AP was evaluated by Paramedics J. Valadez and R. Flores. for minor scrapes to his arm. He was then transported to University Hospital for further evaluation. No further action.

Officer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Supplement: J. WELLS #548****LEON VALLEY POLICE DEPARTMENT SUPPLEMENT REPORT** LVPD FORM NO. 65 [3-67] **DATE:****06/14/2018**

MESSAGE HERE: [TYPE OR PRINT ONLY - USE INK]

ON 06/14/2018 AT APPROXIMATELY 1400 HRS, I WAS ON DUTY AND SITTING AT MY DESK INSIDE THE POLICE DEPARTMENT, WHEN I HEARD A REQUEST FOR OFFICERS IN THE LEON VALLEY CITY HALL LOBBY. I IMMEDIATELY PROCEEDED TO THAT LOCATION AND WAS DIRECTED TO THE FRONT ENTRANCE AREA, JUST OUTSIDE THE FRONT DOOR. I OBSERVED A SUBJECT KNOWN TO ME AS JESUS PADILLA DOB-06/30/1990 BEING PLACED UNDER ARREST BY SGT. J. URDIALES. JESUS PADILLA WAS RECENTLY ARRESTED FOR CRIMINAL TRESPASSING ON CITY PROPERTY AND WAS ISSUED A "NO TRESPASS" WARNING BY THE CITY OF LEON VALLEY. JESUS PEDILLA WAS NOW BEING ARRESTED BY SGT URDIALES FOR VIOLATING THIS WARNING AND TRESPASSING AGAIN. I THEN OBSERVED A WHITE ADULT MALE HOLDING A PHONE AND IPAD, WHO APPEARED TO BE VIDEOING MOVING TOWARDS THE LOCATION WHERE THE ARREST WAS TAKING PLACE. WHEN I APPROACHED THIS WHITE ADULT MALE, HE WAS WITHIN FIVE FEET OF SGT J. URDIALES AND JESUS PADILLA. I IMMEDIATELY ADVISED THIS WHITE ADULT MALE THAT "HE NEEDED TO STAND ACROSS THE STREET RIGHT NOW, YOU NEED TO STAND ACROSS THE STREET" I WANTED TO DISTANCE HIM FROM THE ARREST SIGHT FOR HIS OWN SAFETY AND THE SAFETY OF OTHERS. THE WHITE ADULT MALE AFTER BEING TOLD SEVERAL TIMES TO MOVE BACK REFUSED TO MOVE AT WHICH TIME I GRABBED HIS RIGHT ARM AND ATTEMPTED TO DIRECT HIM TO BACK UP. THE



LEON VALLEY POLICE DEPARTMENT

CFS #201803857

Incident #201803857

ADULT MALE, BEGAN RESISTING AND PULLING AWAY FROM ME. AT THIS TIME OTHER UNIFORMED OFFICERS ARRIVED AND ASSISTED AND THE ADULT MALE LATER IDENTIFIED AS MARK BROWN 07/14/1966 WAS PLACED UNDER ARREST FOR INTERFERENCE. I WANT TO ADD THAT I WAS DRESSED IN POLICE FATIGUES PANTS AND SHIRT, DISPLAYING MY POLICE BADGE, DUTY WEAPON AND POLICE CREDENTIALS. IT WAS APPARENT THIS WHITE ADULT MALE KNEW I WAS A POLICE OFFICER. THE ADULT MALE WAS LATER IDENTIFIED AS MARK BROWN 07/14/1966, WAS PLACED UNDER ARREST FOR INTERFERENCE WITH THE DUTIES OF A PUBLIC SERVANT.

JIM WELLS #548  
LEON VALLEY POLICE DEPARTMENT

Officer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Supplement: 6**

Det Brooks, King and Munoz all assigned to case

Officer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Supplement: CID Supplement Brooks #521****06/14/18**

On 06/14/18 I was inside the police department building at 6400 El Verde Rd when I heard a request over the phone system for officers to come to the front lobby immediately. I ran to the front and noticed Sgt Urdiales walking out the front lobby doors towards the front entrance area of the police department. There were numerous citizens in the lobby area due to court being in session. When I reached the front door, I observed a tall white male, later identified as Mark David Brown, holding both arms in the air with recording devices in each hand. At the bottom of the steps I observed a hispanic male, later identified as Jesus Padilla pointing his camera in the direction of the lobby entrance. Sgt Urdiales went straight for Padilla and advised him he was under arrest. Padilla did not immediately comply so I grabbed his right arm. While Sgt Urdiales was placing Padilla in handcuffs, I heard a commotion immediately behind us. I looked and observed Det J. Wells saying something to Brown, but I could not make it out. Brown still had both hands in the air with his camera devices. I turned my attention back to Padilla to assist Sgt Urdiales in placing Padilla in handcuffs. That is when I heard the commotion with Brown escalate. When I turned around I noticed several officers attempting to place Brown in custody. I heard officers giving Brown commands to stop resisting and to put his hands behind his back, but he was not complying. Officers were eventually able to get Brown on the ground where he continued to resist with his arms and flailing his legs. I was able to grab his legs and hold them until he was placed in handcuffs and stopped flailing his legs. Both were provided medical care at the scene.

During the altercation I was handed a tablet and cell phone that I learned belonged to Brown. I gave these devices to Ofc J. Vasquez and he placed them into evidence.

After both subjects were placed into custody, I was informed that Padilla was charged with Criminal Trespass

LEON VALLEY POLICE DEPARTMENT

CFS #201803857

Incident #201803857

due to a notice trespass that had previously been issued to him for 6400 El Verde Rd. Brown was charged with Interference with Public Duties due to him not complying with officers commands while Padilla was being placed under arrest.

I was advised there was a witness to the incident named Scott Beal. After speaking with Beal, he agreed to provide a statement to what he saw. I voluntarily took a statement from Beal at the Leon Valley Police Department.

I was informed later in the day the vehicles that Padilla and Brown were located and had been impounded. Sgt Gonzales advised Chief Salvaggio tasked myself and Sgt Gonzales with inventorying the vehicles. The vehicles had been towed to the Leon Valley Police Departments Impound Lot by Chief Salvaggio. Myself and Sgt Gonzales inventoried Padilla's vehicle and placed any valuable items into property for safe keeping. I recorded the inventory on my body camera. Brown's vehicle was not inventoried due to it being locked and no keys available. I later learned Ofcs had inventoried the vehicle prior to it being towed to the Leon Valley Impound Lot.

***Inv T. Brooks #521***

Officer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Reporting Officer Signature:** \_\_\_\_\_

Officer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Officer Johnny Vasquez

December 15, 2021

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER; JACK )  
MILLER; BRIAN HOWD; )  
JAMES A. MEAD; JOSEPH )  
BRANDON PIERCE; MARK )  
BROWN; DAVID BAILEY; )  
JUAN GONZALES, JR.; )  
KEVIN EGAN; JONATHAN )  
GREEN; JAMES SPRINGER, )  
Plaintiffs, )  
VS. ) CIVIL ACTION  
NO. 5:18-CV-0680-FB  
CHIEF JOSEPH SALVAGGIO; )  
LIEUTENANT DAVID )  
ANDERSON; DEPUTY JANE )  
DOE GOLDMAN; OFFICER )  
JOHNNY VASQUEZ; CPL. )  
CHAD MANDRY; SERGEANT )  
JOHN DOW; OFFICER )  
JIMMIE WELLS; CPL. )  
LOUIS FARIAS, BADGE )  
534; OFFICER BRANDON )  
EVENS, BADGE 556; )  
OFFICER UZIEL )  
HERNANDEZ; JOHN DOE )  
TASER 2; JOHN DOE TASER )  
2; and THE CITY OF LEON )  
VALLEY, a POLITICAL )  
SUBDIVISION of the )  
STATE OF TEXAS, )  
Defendants. )

ORAL AND VIDEOTAPED DEPOSITION OF  
OFFICER JOHNNY VASQUEZ  
DECEMBER 15, 2021

[REPORTED REMOTELY BY VIDEOCONFERENCE]

Exhibit  
E

1 ORAL AND VIDEOTAPED DEPOSITION of the witness,  
2 OFFICER JOHNNY VASQUEZ, taken at the instance of the  
3 Plaintiff, in the above entitled cause, before CATHEY  
4 RIMMER, Certified Shorthand Reporter in and for Bexar  
5 County, Texas, on December 15, 2021, the Witness being  
6 located at the offices of Leon Valley Police Department,  
7 Leon Valley, Bexar County, Texas, between the hours of  
8 10:30 o'clock a.m. and 5:47 o'clock p.m., pursuant to  
9 the Federal Rules of Civil Procedure and the provisions  
10 stated on the record or attached hereto.

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A P P E A R A N C E S

APPEARING REMOTELY FOR PLAINTIFFS:

GRABLE GRIMSHAW, PLLC  
Mr. Brandon J. Grable  
Mr. Austin M. Reyna  
1603 Babcock Road, Suite 118  
San Antonio, Texas 78229  
(210) 934-4764

APPEARING REMOTELY FOR DEFENDANT OFFICERS:

LAW OFFICES OF CHARLES S. FRIGERIO, P.C.  
Mr. Charles S. Frigerio  
Mr. Hector X. Saenz  
111 Soledad, Suite 465  
San Antonio, Texas 78205  
(210) 271-7877

APPEARING REMOTELY FOR DEFENDANT, CITY OF LEON VALLEY,  
TEXAS:

DENTON, NAVARRO, ROCHA, BERNAL & ZECH  
Mr. Adolfo Ruiz  
2517 North Main Avenue  
San Antonio, Texas 78212  
(210) 227-3243

ALSO APPEARING REMOTELY:

OFFICER JOHNNY VASQUEZ  
The Witness

CHAD JACKSON,  
Prevail Session Manager

CATHEY RIMMER  
Certified Shorthand Reporter  
in and for the State of Texas

\* \_ \* \_ \* \_ \* \_ \* \_ \*

## I N D E X

## TESTIMONY PAGE

Examination by Mr. Grable..... 7

## DEPOSITION EXHIBITS

NO. DESCRIPTION IDENTIFIED

1 Incident Report, CFS #201803857, 6/14/2018..... 17

2 Incident Report, Incident #201804036, 6/23/2018 18

3 Defendant Officer Johnny Vasquez' Answers to  
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5 Screenshot, 6/14/2018 13:52:56..... 88

6 Screenshot, 6/14/2018 13:52:54..... 89

7 Screenshot, 6/14/2018 13:56:50..... 99

8 Screenshot, 6/14/2018 13:53:24..... 103

9 Screenshots (11)..... 130

10 Screenshot, 6/23/2018 17:09:03..... 134

11 Criminal Trespass notices, 6/23/2018,  
Zinter-Def Officers Bates No. 554-559..... 189

\* \_ \* \_ \* \_ \* \_ \* \_ \*

1 Q. Okay. But you had knowledge, right, that it  
2 was First -- quote, First Amendment auditors?

3 A. I didn't have -- I had no knowledge of what was  
4 actually going on when they announced over the intercom  
5 what was -- I had no knowledge of what was going on when  
6 they announced over the intercom.

7 Q. Okay. So -- but when you walked by -- when you  
8 walked by the receptionist, do you hear them say, It's  
9 the First Amendment auditors?

10 A. I don't recall that, sir.

11 Q. Okay. And so what was your plan then? You  
12 were just going to go and just start arresting anyone  
13 that looked out of place or what? What were you looking  
14 to do?

15 A. Well, my plan was to conserve the peace and  
16 assist the public where necessary.

17 Q. Okay. And so did you see a problem when you  
18 saw Mark Brown filming Padilla's arrest?

19 A. Well, so according -- you know, I'm sorry I  
20 keep referring back to this report, but that's the best  
21 way I can recall. I remember it being crowded. I  
22 remember being -- looking around, and then -- and then,  
23 you know, considering how close it was and Detective  
24 Wells trying to, you know, take custody of him and he  
25 was struggling, you know, that, you know, I'm going to,

1 Q. But you were aware of this lawsuit in 2018,  
2 correct?

3 A. I was aware of a lawsuit, yes, sir.

4 Q. Okay. You were served with it?

5 A. Yes, sir.

6 Q. Okay. Okay. So -- never mind. It doesn't --  
7 so did you put anywhere in your report the fact that  
8 Brooks, Burleson, Farias, you, Yarbrough and Parra were  
9 all on top of Brown? Is that anywhere in your report?

10 MR. FRIGERIO: Objection; form.

11 THE WITNESS: I put that Officer Farias  
12 made the scene and managed to place AP on the ground  
13 with AP falling on top of Officer Farias. And the other  
14 indication is Officer Yarbrough rode with EMS to the  
15 unit.

16 Q. (BY MR. GRABLE) Okay. So if Brown was having  
17 his face pushed into the cement and several officers on  
18 top of him, why did you tase him?

19 A. Because he was still actively resisting by  
20 kicking and throwing his -- see, that's -- this is a  
21 small portion of the picture, and I don't even know if  
22 that tasing was at the same time as that picture. I  
23 don't know if that was before or after. But the tasing  
24 came due to the fact that he was actively resisting.

25 Q. And he was actively resisting because you came



Officer Johnny Vasquez

December 15, 2021  
Page 198

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE WESTERN DISTRICT OF TEXAS  
3                   SAN ANTONIO DIVISION

4       RUSSELL ZINTER; ET AL,                   )  
5       Plaintiffs,                                )  
6       VS.   )  
7   ) CIVIL ACTION  
8   ) NO. 5:18-CV-0680-FB  
9       CHIEF JOSEPH SALVAGGIO;                )  
10      ET AL,                                    )  
11      Defendants.                                )

12   )  
13                   CERTIFICATE TO THE ORAL DEPOSITION OF  
14                   OFFICER JOHNNY VASQUEZ  
15                   DECEMBER 15, 2021

16                   I, CATHEY RIMMER, Certified Shorthand Reporter in  
17                   and for the State of Texas, do hereby certify to the  
18                   following:

19                   That the Witness, OFFICER JOHNNY VASQUEZ, was duly  
20                   sworn by the officer and that the transcript of the oral  
21                   deposition is a true record of the testimony given by  
22                   the Witness.

23                   I further certify that pursuant to FRCP Rule  
24                   30(e)(1) that the signature of the Deponent was not  
25                   requested by the Deponent or a party before the  
26                   completion of the deposition.

27                   I further certify that the amount of time used by  
28                   each party at the deposition is as follows:

1 Mr. Brandon J. Grable - 5 hours, 43 minutes

2 I further certify that I am neither attorney, nor  
3 counsel for, nor related to, nor employed by any of the  
4 parties to the action in which this testimony is taken,  
5 and further that I am not a relative or employee of any  
6 attorney of record in this cause, nor do I have a  
7 financial interest in the action.

8 SUBSCRIBED AND SWORN TO on this the 24th day of  
9 January, 2022.

10 

11  
12 CATHEY RIMMER, Texas CSR 519  
13 Expiration Date: 04/30/2023  
14 Magna Legal Services  
15 Firm Registration No. 633  
16 16414 San Pedro Ave., Ste. 900  
17 San Antonio, TX 78232  
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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**RUSSELL ZINTER; ET AL.**

**Plaintiffs,**

**v.**

**CHIEF JOSEPH SALVAGGIO; ET AL.**

**Defendants.**

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**CIVIL NO. SA-18-CA-680-JKP-RBF**

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**DEFENDANT CITY OF LEON VALLEY'S  
MOTION FOR SUMMARY JUDGMENT**

---

**PLACEHOLDER FOR EXHIBIT F**

**BODY WORN CAMERA VIDEO RECORDING  
OFFICER JOHNNY VASQUEZ [COLV 00006]**

**PURSUANT TO AGREED CONFIDENTIALITY  
AND PROTECTIVE ORDER  
ENTERED ON 10/30/2020 [DKT. 82]**

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**RUSSELL ZINTER; ET AL.**

**Plaintiffs,**

**v.**

**CHIEF JOSEPH SALVAGGIO; ET AL.**

**Defendants.**

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**CIVIL NO. SA-18-CA-680-JKP-RBF**

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**DEFENDANT CITY OF LEON VALLEY'S  
MOTION FOR SUMMARY JUDGMENT**

---

**PLACEHOLDER FOR EXHIBIT G**

**BODY WORN CAMERA VIDEO RECORDING  
OFFICER JOANN AZAR [COLV 00009]**

**PURSUANT TO AGREED CONFIDENTIALITY  
AND PROTECTIVE ORDER  
ENTERED ON 10/30/2020 [DKT. 82]**

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**RUSSELL ZINTER; ET AL.**

**Plaintiffs,**

**v.**

**CHIEF JOSEPH SALVAGGIO; ET AL.**

**Defendants.**

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**CIVIL NO. SA-18-CA-680-JKP-RBF**

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**DEFENDANT CITY OF LEON VALLEY'S  
MOTION FOR SUMMARY JUDGMENT**

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**PLACEHOLDER FOR EXHIBIT H**

**BODY WORN CAMERA VIDEO RECORDING  
OFFICER CLARENCE YARBROUGH [COLV 00013]**

**PURSUANT TO AGREED CONFIDENTIALITY  
AND PROTECTIVE ORDER  
ENTERED ON 10/30/2020 [DKT. 82]**

# Incident Report

LEON VALLEY POLICE DEPARTMENT

Incident #201803942

## Administrative:

Date Reported: 6/18/2018 CFS#:  
 Location Address: **6400 EL VERDE RD**  
 City: LEON VALLEY State: TX Zip: 78238 District: 3 Beat: Grid:  
 Location: **LEON VALLEY MUNICIPAL COURT**  
 Occurrence From: 06/18/2018 @ 14:00 To: @ Day of Week: MON  
 Status Date: 6/18/2018 Status: **CLEARED BY ADULT ARREST**  
 Type: 48 Description: **OTHER OFFENSE / INCIDENT**

Reportee: **FARIAS #534,** Address: 6400 EL VERDE RD  
 Race: Sex: LEON VALLEY, TX 78238  
 DOB: Offense Age: Home Phone: Work Phone: 2106843215  
 Current Age: Mobile Phone:

Source of Call: Time Received: Time Dispatched: Time Arrived: Time Cleared:  
 Reporting Officer 1 ID: 1056 Name: FARIAS #534  
 Reporting Officer 2 ID: Name:  
 Investigating Officer ID: 1267 Name: MUNOZ, RUDY

## Offense:

Offense: **OBSTRUCT HIGHWAY PASSAGEWAY**

Statute: 42.03 Code: PC Penalty: MB

### Offense M.O.

Type of Location: GOVERNMENT/PUBLIC BUILDINGS Forced: No  
 Point of Entry: Offender Used: Not Applicable  
 Method of Entry: Bias Motivation: ANTI-NONE  
 Family Violence: No Weapons Involved:  
 Offense Note:

## Victim:

Victim Type: GOVERNMENT Business:  
 Name: **STATE OF TEXAS,** Address: 6400 EL VERDE  
 Race: U Sex: U LEON VALLEY, TX 78238  
 DOB: 12/1/1999 Offense Age: 18 Home Phone: Work Phone:  
 Current Age: 18 Mobile Phone:  
 Injuries:  
 Victim Note:

## Offense:

Offense: **INTERFERENCE W/PUBLIC DUTIES**

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6400 EL VERDE RD LEON VALLEY, TX 78238

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Exhibit

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DEFT COLV 00132

## LEON VALLEY POLICE DEPARTMENT

Incident #201803942

Statute: 38.15(a)

Code: PC

Penalty: MB

**Offense M.O.**

Type of Location: GOVERNMENT/PUBLIC BUILDINGS

Forced: No

Point of Entry:

Offender Used: Not Applicable

Method of Entry:

Bias Motivation: ANTI-NONE

Family Violence: No

Weapons Involved:

Offense Note:

**Victim:**

Victim Type: GOVERNMENT

Business:

Name: STATE OF TEXAS,

Address: 6400 EL VERDE

Race: U

Sex: U

LEON VALLEY, TX 78238

DOB: 12/1/1999

Offense Age: 18

Home Phone:

Work Phone:

Current Age: 18

Mobile Phone:

Injuries:

Victim Note:

**Property:**

Quantity: 1

Type: EVIDENCE

Description: OTHER

Year:

Make / Brand: IPHONE

Model:

Color: GLD

VIN / Serial#: IMEI 35444606

Loss Value: \$0.00

Recovered Date:

Recovered Value: \$0.00

Stored At:

Owner#:

NIC#:

Recovered From:

Recovered Local: No

Tag/Control:

Owner: ZINTER, RUSSELL

Release Date:

Released To:

Property Note:

**Property:**

Quantity: 1

Type: EVIDENCE

Description: RECORDINGS-AUDIO/VISUAL

Year:

Make / Brand: BESTEKER

Model:

Color: BLK

VIN / Serial#: 302SM180100172

Loss Value: \$0.00

Recovered Date:

Recovered Value: \$0.00

Stored At:

Owner#:

NIC#:

Recovered From:

Recovered Local: No

Tag/Control:

Owner: ZINTER, RUSSELL

Release Date:

Released To:

LEON VALLEY POLICE DEPARTMENT

Incident #201803942

## Property Note:

Attached to Besteker microphone and black camera holder, three cords, USB cord, Anker battery pack. Camera contained a Li-ion battery, 32G SanDisk SD card

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand: POLAROID	Model: I534
Color: SIL	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: MEAD, JAMES	Release Date:	Released To:

## Property Note:

With tripod and fuzz ball

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: SAMSUNG	Model: GALAXY EDGE
Color: BLK	VIN / Serial#: R38G80TSCYK	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: MEAD, JAMES	Release Date:	Released To:

## Property Note:

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand: GOPRO	Model: HERO4
Color: SIL	VIN / Serial#: C312112 6255492	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: MEAD, JAMES	Release Date:	Released To:



LEON VALLEY POLICE DEPARTMENT

Incident #201803942

Property Note:

In clear case with detachable mic.

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand:	Model:
Color:	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: MEAD, JAMES	Release Date:	Released To:

Property Note:

10000 mAh battery power pack

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand:	Model:
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: MEAD, JAMES	Release Date:	Released To:

Property Note:

Camera holder

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: BLACKWEB	Model: BWA17W030
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	

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6400 EL VERDE RD LEON VALLEY, TX 78238

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DEFT COLV 00135

## LEON VALLEY POLICE DEPARTMENT

Incident #201803942

Recovered From:  
Owner: SPRINGER, JAMES ALAN JR

Recovered Local: No  
Release Date:

Tag/Control:  
Released To:

Property Note:

10000 mAh battery pack

**Property:**Quantity: 1 Type: **EVIDENCE**Description: **OTHER**

Year:

Make / Brand: JOBY

Model:

Color: BLK

VIN / Serial#:

Loss Value: \$0.00

Recovered Date:

Recovered Value: \$0.00

Stored At:

Owner#:

NIC#:

Recovered From:

Recovered Local: No

Tag/Control:

Owner: SPRINGER, JAMES ALAN JR

Release Date:

Released To:

Property Note:

cell/camera holder

**Property:**Quantity: 1 Type: **EVIDENCE**Description: **OTHER**

Year:

Make / Brand:

Model:

Color:

VIN / Serial#: IMEI 353322090827099

Loss Value: \$0.00

Recovered Date:

Recovered Value: \$0.00

Stored At:

Owner#:

NIC#:

Recovered From:

Recovered Local: No

Tag/Control:

Owner: SPRINGER, JAMES ALAN JR

Release Date:

Released To:

Property Note:

Cell phone with clear cell phone case

**Property:**Quantity: 1 Type: **EVIDENCE**Description: **OTHER**

Year:

Make / Brand: HUAWEI

Model: H1711

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## LEON VALLEY POLICE DEPARTMENT

Incident #201803942

Color: GRY	VIN / Serial#: QISH1711	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: UNKNOWN, UNKNOWN	Release Date:	Released To:

Property Note:

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: SAMSUNG	Model: GALAXY S8 PLUS
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: GONZALES, JUAN JR	Release Date:	Released To:

Property Note:

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand: GOPRO	Model:
Color: GRY	VIN / Serial#: UNKNOWN	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: GONZALES, JUAN JR	Release Date:	Released To:

Property Note:

with case and battery

**Property:**

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## LEON VALLEY POLICE DEPARTMENT

Incident #201803942

Quantity: 1	Type: EVIDENCE	Description: OTHER
Year:	Make / Brand: LG	Model: LGMP260
Color: BLK	VIN / Serial#: 802CYBD539877	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PADILLA, JESUS	Release Date:	Released To:

## Property Note:

Cell phone with LG battery

Owner left scene and did not receive property receipt.

**Involved:**

W4

Code: WITNESS 4	Address: 11555 W CULEBRA 360		
Name: PADILLA, JESUS	SAN ANTONIO, TX 77906		
Race: W	Sex: M	Home Phone:	Work Phone:
DOB: 6/30/1990	Offense Age: 27	Current Age: 28	Mobile Phone:
DL#: 28082240	DL State: TX	Employer:	Occupation:

**Involved:**

SP1

Code: SUSPECT 1	Address: 2424 PADDLE CREEK		
Name: GONZALES, JUAN JR	SAN ANTONIO, TX 78245		
Race: W	Sex: M	Home Phone: (210)386-1013	Work Phone:
DOB: 2/2/1965	Offense Age: 53	Current Age: 53	Mobile Phone:
DL#: 10787227	DL State: TX	Employer:	Occupation:

**Involved:**

SP2

Code: SUSPECT 2	Address: 23022 FAIRWAY BRIDGE		
Name: MEAD, JAMES	SAN ANTONIO, TX 78258		
Race: W	Sex: M	Home Phone:	Work Phone:
DOB: 9/23/1960	Offense Age: 57	Current Age: 57	Mobile Phone:
DL#: 23399958	DL State: TX	Employer:	Occupation:

**Involved:**

W1

Code: WITNESS 1	Address: 4112 CR RD 3841		
Name: ZINTER, RUSSELL	SAN ANTONIO, TX 78253		
Race: W	Sex: M	Home Phone:	Work Phone:
DOB: 5/10/1962	Offense Age: 56	Current Age: 56	Mobile Phone:
DL#: 35696150	DL State: TX	Employer:	Occupation:

**Involved:**

AP2

Code: ARRESTED PERSON 2	Address: 3006 CHIESA		
Name: SPRINGER, JAMES ALAN JR	ROWLETT, TX 75088		
Race: W	Sex: M	Home Phone: (469)230-5583	Work Phone:

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## LEON VALLEY POLICE DEPARTMENT

Incident #201803942

DOB: 7/29/1984      Offense Age: 33      Current Age: 34      Mobile Phone:  
 DL#: 35706973      DL State: TX      Employer:      Occupation:

**Involved:**

AP1

Code: ARRESTED PERSON 1      Address: 164 ELIZABETH  
 Name: **BAILEY, DAVID**      SAN ANTONIO, TX 78209  
 Race: W      Sex: M      Home Phone:      Work Phone:  
 DOB: 8/23/1963      Offense Age: 54      Current Age: 55      Mobile Phone:  
 DL#: 09994433      DL State: TX      Employer:      Occupation:

**Involved:**

W2

Code: WITNESS 2      Address: 644 KERRY ST  
 Name: **PIERCE, JOSEPH**      CROWLEY, TX 76036  
 Race: W      Sex: M      Home Phone:      Work Phone:  
 DOB: 7/19/1976      Offense Age: 41      Current Age: 42      Mobile Phone:  
 DL#: 43167388      DL State: TX      Employer:      Occupation:

**Involved:**

W3

Code: WITNESS 3      Address: 7234 GRASS VALLEY  
 Name: **SALAZAR, MARIA**      LEON VALLEY, TX 78240  
 Race: W      Sex: F      Home Phone: (210)260-8836      Work Phone: (210)767-8567  
 DOB: 8/16/1961      Offense Age: 56      Current Age: 57      Mobile Phone:  
 DL#:      DL State:      Employer:      Occupation:

**Arrest:**

Arrest#: **201803942**      Date Arrested: 6/18/2018      Time Arrested: 14:25      Cell No:      Date Released:  
 Name: **BAILEY, DAVID**      Address: 164 ELIZABETH  
 Race: W      Sex: M      SAN ANTONIO, TX 78209  
 DOB: 8/23/1963      Arrest Age: 54      Home Phone:      Work Phone:  
 Juvenile: N      Current Age: 55      Mobile Phone:      Caution:  
 DL#: 09994433      DL State: TX      DL Type:      Employer:      Occupation:  
 Arrest Location: 6400 EL VERDE RD      City: LEON VALLEY      District: 3  
 Agency: LEON VALLEY POLICE DEPARTMENT  
 Arresting Officer: 1285      ANDERSON, DAVID  
 Booking Officer:  
 Transfer Officer:

**Charge(s):****OBSTRUCT HIGHWAY PASSAGEWAY**

Statute: 42.03

Code: PC

Penalty: MB

Charge Note:

Arrest Narrative:

**Arrest:**

Arrest#: **201803942-1**      Date Arrested: 6/18/2018      Time Arrested: 14:25      Cell No:      Date Released:  
 Name: **SPRINGER, JAMES ALAN JR**      Address: 3006 CHIESA  
 Race: W      Sex: M      ROWLETT, TX 75088  
 DOB: 7/29/1984      Arrest Age: 33      Home Phone: (469)230-5583      Work Phone:  
 Juvenile: N      Current Age: 34      Mobile Phone:      Caution:

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## LEON VALLEY POLICE DEPARTMENT

Incident #201803942

DL#: 35706973	DL State: TX	DL Type:	Employer:	Occupation:
Arrest Location: 6400 EL VERDE RD			City: LEON VALLEY	District:
Agency: LEON VALLEY POLICE DEPARTMENT				
Arresting Officer: 1056 FARIAS #534				
Booking Officer:				
Transfer Officer:				

**Charge(s):**

INTERFERENCE W/PUBLIC DUTIES

Statute: 38.15(a)

Code: PC

Penalty: MB

Charge Note:

Arrest Narrative:

**Narrative:**

On the above date the AP1 and several other male agitators/activists were conducting a demonstration at the Leon Valley City Hall and Municipal Court building. The agitator/activist attempted to enter into the building with video recording devices which is in violation of Municipal Judge Morales' order and security purposes. The actors were permitted to video the lobby area from the foyer area (between first and second set of doors) which was in compliance with the Judge's order. This entrance is the only access that the public has into the building to conduct Municipal Court and other city business. On two different occasions, Lt. D. Anderson 502 told the agitators/activist not to intentionally block the passageway into the building. Despite several reasonable requests to not obstruct the entrance, the AP1 intentionally and knowingly positioned himself in front of and obstructed the entrance with his body to the extent that his obstruction physically prevented a member of the public from entering the public building, in which she was identified as W3. At this point Lt. Anderson 502 summoned additional officers to follow him. Lt. Anderson 502 then approached the AP1 and informed him that he was under arrest for obstructing a passageway. The AP1 was handcuffed, processed and then booked for PC 42.03 Obstructing Highway or other Passageway. The AP1 received medical treatment at the LVPD office due to high blood pressure, before his transport to jail.

Due to the arrest of AP1, all others that were present and that were recording with cameras and other recording devices were now considered witnesses to a crime and we, Leon Valley PD officers, were requesting that they identify themselves and all recording devices to be seized as evidence. I approached SP1 and stated to the group he was with, that they have been witnesses to a crime and that all their recording devices are being confiscated as evidence. As I reached towards SP1's recording device he pulled away. I extended my arm out to reach SP1 and he backed away. I observed other officers next to me approach SP1 to retrieve the phone/camera from him. AP2 was directly beside of me so I reached out to grab the phone/camera out from his hands and he too also pulled away from me, moving his camera/phone in a manner that I was not able to retrieve it. I grabbed his right arm in an attempt to arrest him for interfering with public duties, but he forcefully moved his body so it would make it difficult to take control of him. I turned AP2 around using his right arm and placed him against the glass wall and pinned him up against it to gain control of him, while officer B. Evans 556 placed him in handcuffs. During this situation, AP2's camera phone fell on the ground and another officer retrieved it and seized it as evidence. Officer B. Evans then took control of AP2.

I then exited the building and observed more witnesses with recording devices. I observed W1 to have a recording camera and a cell phone and it appeared he was recording the event. I approached him and advised him that I was going to seize his cell phone and video camera as evidence. W1 complied with commands and identified himself by providing his name and date of birth. W1 received a property receipt for his camera and cell phone that I seized from him. W1 was released at the scene.

In my presence, Officer B. Evans 556 gave a criminal trespass warning to AP1 and AP2 from barring him from all Leon Valley city offices and court rooms. Both AP1 and AP2 received a copy of all addresses and location of city owned properties to include the Leon Valley PD, Leon Valley Municipal Court and area essential to the court, Leon Valley Library, Leon Valley Fire Department, Leon Valley Public Works Department and Leon Valley Community Center. Each AP was told that failure to adhere to this warning would result in their arrest.

All items I seized as evidence I gave to Officer E. Rivera 567 so she can secure it in the Leon Valley Evidence property



## LEON VALLEY POLICE DEPARTMENT

Incident #201803942

room.

**Supplement: Breton 560**

While responding to assist Cpl. Farias, I noticed W4 (Jesus Padilla) recording all the incident using his cell phone. W4 was standing by the flags in front of main entrance to Leon Valley Municipal offices. W4 was previously criminal trespass warned; and he was in flagrant violation of criminal trespass. I contacted W4 and requested his cell phone as evidence, due his recording Cpl. Farias detaining suspects in the Municipal restricted area. W4 was reluctant to release his cell phone. W4 was advised to release his cell phone several times until he gave his cell phone to Detective A. King. W4 was not arrested for criminal trespass today.

**Supplement: supplement j. wells #548**

06/18/2018

ON 06/18/2018 AT APPROXIMATELY 1400 HRS I WAS SUMMONDSED TO THE MAIN ENTRENCE TO CITY HALL DUE TO A DISTURBANCE. I ARRIVED TO THE AREA AND SGT URDIALES HAD A SUBJECT LATER IDENTIFIED AS JAMES MEAD, SP-2, W/M DOB 09/23/1960 IN CUSTODY FOR FAILURE TO IDENTIFY AS A WITNESS. I TOOK POSSESSION OF EVIDENCE, BELONGING TO JAMES MEAD.

DET. J. WELLS #548

06/19/2018

On this date I was contacted by Joseph Pierce (W2) at the Leon Valley Police Department. Pierce notified me he had some personal property in a white Chev Tahoe that was impounded on 06/18/2018 belonging to James Springer, AP2. Pierce advised the property consisted of a Texas Drivers License and a Credit Card both with his name on them. I was advised the property was in the glove compartment of the vehicle. I went to the impound yard and retrieved the said items from the described vehicle and returned to the LVPD. The property was released to Joseph Pierce; 1) TXDL-431673388 and (2) EECU Debit Card# 516289000514 1814. Property Reciept issued to Pierce.

**Supplement: J.Azar 564**

On Monday June 18, 2018 around 1400 hundred hour we had agitators at 6400 El Verde Municipal Court. We ask several of the agitators to stop blocking the passageway to the main entry of the building or they will be arrested. When a female customer which was later identified later as (W)3 tried entering the Municipal Court, the agitators were blocking the door way not allowing the female(W)3 easy passageway from coming in so we were sent to arrest the agitator holding the burnt blue line flag. As soon as the Officers had hands on the agitator with the burnt blue line flag who was later identified as (AP)1. I tried to confiscate a video recorder from another agitator due to it being used to record the arrest with (AP)1, but (AP)2 pulled his hand away from me and that's when other Officers stepped in to help out and (AP)2 was detained. (AP)2 subsequently was arrested for interfering with pubic duties.

**Supplement: Supplement Sgt. J Urdiales 555**

On The 18<sup>th</sup> of June 2018 at 14:00 hrs. I was assigned to the Leon Valley Municipal Courts Security detail in full Police uniform.

Due to Agitators that had posted Videos on the Internet Web page YOU-TUBE that they where coming to the City of Leon Valley.

SP 2 (James Mead D.O.B. 09-23-60) was contacted as a witness due to a Disturbance that had taken place at the main entry doors to the Leon Valley Municipal Court Building.

SP 2 was Video/ live streaming on too a YOU TUBE Channel. I contacted SP 2 and requested

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6400 EL VERDE RD LEON VALLEY, TX 78238

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## LEON VALLEY POLICE DEPARTMENT

Incident #201803942

that he ID himself as a witness. SP 2 refused and stated that he did not have ID.

I advised SP2 that he was being arrested for failuer to ID as a witness, I took control of SP2 by handcuffing him and double locking handcuffs for his safety.

Det. J Wells took control of video cameras that SP2 had in his hands, SP2 stated that the cameras were not his. Det J Wells placed the cameras into the property room as evidence.

Once SP2 Identified himself by name and D.O.B., and it was verified, SP2 received a Verbal Criminal Trespass Warning by Cpl. Mandry, in the Leon Valley Police Department Roll Call room.

SP2 was released with his personal property and escorted from the building.

**Supplement: A. king#519**

On 06-18-18 Approx. 1400hrs I was sitting at my desk at 6400 El Verde (Leon Valley Police Dept. and was advised someone was getting arrested in the Municipal court by the front doors. I made location and observed several officers detaining two males. I was advised there were several witness's who were recording the incident. I stepped outside and observed who i know to be a agitator W4 (Jesus Padilla) recording the incident with his cell phone. I approached W4 and advised i needed to get his cell phone because he had evidence of the crime recorded. W4 handed me the phone at which time i advised i would get him a property receipt. When i returned W4 was not at location. Evidence was placed in property room. No further action was taken on my part at this time.

**Supplement: Evans #556**

On 06/18/2018 at approximately 1400 hours, I was advised to stand by for a group of agitators that have been blocking the door way entrance of 6400 El Verde Rd, Leon Valley, TX 78238 at the Municipal Court and had been told not to do so multiple times but ignored orders. I was standing by inside the police department. Shortly later, I heard a commotion coming from the Municipal Court entrance door way. I then responded to assist fellow officers. Once on scene, I was instructed to escort W2 out of location. As I was escorting W2 out of immediate area, I then heard a struggle behind me in the Municipal Court entrance. That was the last contact I made with W2, I then went to assist fellow officers in detaining AP2. I did so by securing the right arm of AP2. After AP2 was in hand cuffs I began to identify AP2. AP2 did not have any identification on him, but was able to provide name, address, and date of birth. Shortly, AP2 was advised he was being placed under arrest for Interference with Police Duties. AP2 made the statement not to tow his vehicle that was parked on Leon Valley property. AP stated he drove here, described the vehicle, and gave an exact location of vehicle. AP2's vehicle was towed by Banis Towing due to vehicle being personal property of AP2. I conducted an inventory of AP2's vehicle and while conducting an inventory a black and silver Ruger SR40C pistol, was discovered on the back of the passenger seat pocket/compartament. Pistol was checked into TCIC/NCIC and came back clear. AP2 was asked about ownership of the discovered pistol and stated he was not going to answer anymore questions. Pistol was stored in Leon Valley Police Department Property Room for safekeeping. Back in service.

**Supplement: Cpl.C.Mandry#540**

On this date, I Cpl.C.Mandry#540 was at location on standby during a multiperson event protesting police activity. During that time, Obstructing Passage/Pathway was observed by Lt D.Anderson. Officers on scene apprehended AP1 for his offense. I observed Cpl.L.Farias#534 attempting to collect electronic recording devices from SP1, a witness to the offense and a member of the group. Initially, SP1 wasn't compliant with the request from Cpl.Farias. I too informed SP1 that Off.L.Farias#534 was attempting to collect the evidence followed by me placing him in handcuffs due to the escalation in the confined space and to remove him from the situation. In the lobby of City Hall, his small GoPro camera was shut off and my body camera remained activated. SP1 was taken to the patrol room to confirm his identity as a witness to the offense as



## LEON VALLEY POLICE DEPARTMENT

Incident #201803942

well. SP1 and SP2 were both confirmed as non residents to Leon Valley with no assets, ties or responsibilities requiring access to City Facilities. Both were issued Criminal Trespass Warnings while being recorded on body camera. SP1 and SP2 stated to have understood  
 SP1 was released without further incident, his GoPro Hero 6 and Samsung Galaxy S8 Plus were collected as evidence by Det E Gonzales.

**Supplement: CASTRO #515**

AP2: SPRINGER, JAMES ALAN JR. W/M 07-29-1984 TDL# 35706973

3006 ROWLETT, DALLAS, TEXAS 75088 PH# 469-230-5583

ON 06-18-18, AT APPROXIMATELY 1400 HOURS I OBSERVED LVPD OFFICERS ATTEMPTING TO ARREST A WHITE MALE SUBJECT, LATER IDENTIFIED AS JAMES ALAN SPRINGER JR. 07-29-1984, IN THE ENTRANCE OF THE LEON VALLEY MUNICIPAL COURT LOCATED AT 6400 EL VERDE RD.

I PLACED MY HANDCUFFS ON THE AP2 AND HE WAS TAKEN INTO CUSTODY FOR INTERFERING WITH PUBLIC DUTIES

**Supplement: Mike Tacquard #510**

LEON VALLEY POLICE DEPARTMENT SUPPLEMENT REPORT LVPD FORM NO. 65 [3-67] DATE:  
 06/18/2018

TO : Records/Investigations

FROM : Officer Mike Tacquard #510

COPIES : Supplemental Report

SUBJECT : CASE 18-3942

MESSAGE HERE: [TYPE OR PRINT ONLY - USE INK]

On Monday, June 18, 2018 at approximately 14:00 hours, I Officer Mike Tacquard #510 was on duty and performing my assigned duties with the Leon Valley Police Department. At approximately 14:00 hours I responded to the Municipal Court office due to a disturbance. Upon arrival I observed Officer AZAR #564 contact a white male (AP 2) informing him that due to a penal code violation his video equipment was being confiscated as evidence of the offense. The male subject refused to surrender his video tapping equipment and raised his equipment in order to prevent the officer from performing her duties. This subject was subsequently subdued and restrained by handcuffs. This individual was identified as JAMES SPRINGER W/M/ 07-29-1984 and hereafter referred to as AP-2.

## DETAILS:

1. On Monday, June 18, 2018, I officer Mike TACQUARD #510 was on duty and performing my official duties as a police officer for the City of Leon Valley Texas County of Bexar.
2. At approximately 14:00 hours I responded to the Municipal Court office located at 6400 El Verde Rd, Leon Valley, Texas in reference to an officer needing assistance.
3. As I arrived at the location I saw several officers contacting several individuals. I observed Officer AZAR contacting a white male subject to my left. I observed AP 2 to pull away from Officer AZAR.
4. As I got closer I heard Officer AZAR inform AP 2 that he was recording a crime with his recording equipment and that the video equipment was being seized as evidence in the case.
5. Again, I observed AP 2 to back away and put his video equipment above his head to prevent the retrieval of the equipment for evidentiary purposes.
6. Officer AZAR informed AP 2 numerous times that he was refusing lawful order and interfering with the duties of a public servant.
7. AP 2 continued to refuse to comply and continued to try and prevent the officer AZAR from performing her lawful duties.
8. At this time, AP 2 was forcibly detained by the assistance of two additional officers, Officers FARIS # 534 and EVANS # 556 along with myself.

08/29/2018 13:59

6400 EL VERDE RD LEON VALLEY, TX 78238

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## LEON VALLEY POLICE DEPARTMENT

Incident #201803942

9. AP 2 was placed against the wall and secured with handcuffs with the minimal amount of force required. AP 2's video equipment was secured and placed into evidence.
  10. AP 2 was escorted to the booking area of the Leon Valley Police Department for Obstructing.
  11. At one-point AP 2 stated he was a member of the press and had a legal right to video the incident in question. I asked AP 2 for his press credentials or any form of identification identifying him as a member of the press. AP 2 stated he did not have any identification to that affect.
  12. After securing AP 2 I had no further contact.
- AP 2
1. AP2 was identified as SPRINGER, JAMES W/M/07-29-1984.
  2. AP2 was wearing blue gray T-shirt, tan shorts and tennis shoes.
  3. AP 2 Red hair and full facial beard.

**Supplement: E.Rivera 567**

On 06.18.2018 I was assigned to the Leon Valley Municipal Court Security. I was instructed to wand all persons and enforce Judge Morales order of no recording inside of the building. On this date several agitators were conducting a demonstration in front of the building. At about 1400 hours the agitators were recording from the foyer area. The agitators were advised multiple times by Lt. Anderson not to obstruct the passageway. At one point an agitator was blocking the second set of doors while a woman was behind him and he ran into her. At that point officers were instructed to arrest AP1, identify all witnesses, and to confiscate any recording devices from the witnesses. I located a black cell phone on the floor where the incident took place. I wrote a property receipt for the phone although it was not claimed.

**Supplement: CID Supplmt**

06/27/18

Case filed.

**NOTE:** AP1 AND SP1 WERE ORIGINALLY ARRESTED IN THIS INCIDENT. SP1'S CASE WAS REJECTED. THIS REPORT APPLIES EQUALLY TO BOTH AP1 AND SP1.

**ACTOR:** AP1 Bailey, David WM 54 08/23/63 164 Elizabeth SID NO. 0773576  
Booked for Obstruct Highway/Passageway.

**SUSPECTS:** SP1 Springer, James Alan, Jr. WM 33 07/29/84 SID NO. 1103396  
aka "James Freeman" Identified member of "The First Amendment Auditors"  
HM ADD 3006 Chiesa (Rowlett, Tx. 778088) HM PH NO (469) 230-5583  
Originally booked for Interference With Public Duties. Charge dismissed by Magistrate. Listed as AP2 (Arrested Person 2) in original handling officer's report.

SP2 Mead, James WM 57 09/23/60 23022 Fairway Bridge S.A Tx.  
Reportedly video-taped above arrests and detained for Failure to ID as a witness.  
Subsequently released after providing identification. Phone/camera used to record arrest was seized and a property receipt issued to SP2. Released pending investigation.

**WITNESSES:** W1 Zinter, Russell WM 56 05/10/62 4112 Cr Rd. 3841 S.A. Tx.  
Identified as a witness video-recording above incident. Phone/camera used to record incident seized. Property receipt issued.

W2 Pierce, Joseph WM 41 07/19/76 644 Kerry (Crowley, Tx. 76036)  
aka "Ethics Instead" Identified member of "The First Amendment Auditors."  
Identified as a witness for video-taping above incident. See Evidence List for info on his recording device. W2 refused to sign or accept a property receipt for same.

08/29/2018 13:59

6400 EL VERDE RD LEON VALLEY, TX 78238

Page 13 of 15



LEON VALLEY POLICE DEPARTMENT

Incident #201803942

W3 Salazar, Maria WF 56 08/16/61 7234 Grass Valley (210) 260-8836  
Leon Valley citizen attempting to enter above location (lobby) to conduct city  
business, when prevented by AP1 obstructing passage into lobby.

W4 Padilla, Jesus LM 27 06/30/90 11555 W. Culebra Rd. SID NO.  
aka "Mexican Padilla" Identified member of "The First Amendment Auditors."  
Observed video-taping above arrests with his camera and was reluctant to release his  
camera to officers. Eventually relinquished camera to officers and left scene before  
receiving a property receipt for same.

W5 Gonzales, Juan Jr. LM 53 02/02/65 2424 Paddle Creek (S.A. Tx. 78245)  
Listed as SP1 in original report. Reportedly video-taped the incident and identified  
himself as a witness. His recording device was seized after refusing to relinquish same to  
officers. Property receipt issued.

**EVIDENCE:** "BLACKWEB" 100000 MAH battery pack black in color Model# BWA17W1030  
"JOBY" cell/camera holder  
Unknown brand cell phone with clear case Serial # 353322090827099  
Above listed evidence seized from SP1. See evidence list in handling officer's report for info  
on property seized from W1 (Zinter), W2 (Pierce) and W4 (Padilla).

**OFFICERS****AT SCENE:**

Cpl. Farias #534  
Officer Tacquard #510  
Officer Azar #564  
Officer Evans #556  
Officer Rivera #567  
Officer Breton #560  
Det. King # 519  
Det. Wells #548  
Sgt. Castro #515  
Sgt. Urdiales #555  
Lt. Anderson #502

Handling Officer  
Arresting Officer  
Arresting Officer  
Assisting Officer  
Assisting Officer  
Assisting Officer  
CID Investigations  
CID Investigations  
Patrol Supervisor  
Patrol Supervisor  
CID Commander

**DETAILS:**

Above location of occurrence is the City of Leon Valley Municipal Building, which houses  
the municipal court and offices essential to this court. The police department is also  
located in this building. On June 14, 2018, Judge Morales ordered that no weapons or  
video recording devices be permitted in this building. Citizens are allowed to video tape  
the lobby from outside the building, but the foyer leading into the lobby is to be kept clear  
to allow entry into the lobby and court. This court order is a result of recent disruptions to  
city and court operations by agitators belonging to the group called, "The First  
Amendment Auditors." These agitators have video-taped personnel inside restricted areas  
and have made threats to Leon Valley police officers. They have also threatened the police  
chief and several city officials, including the mayor via on-line websites.

At above time and date, above AP1 and SP1, in accompany of above listed SP2 and  
WITNESSES, walked into the foyer of the municipal court/building and began video-  
taping activities inside the lobby. AP1 intentionally began blocking citizens, mainly W3,

LEON VALLEY POLICE DEPARTMENT

Incident #201803942

from attempting to enter the lobby by placing himself in their path. Officers asked AP1 several times to refrain from obstructing passage to the lobby and to relocate. AP1 refused and as he was being arrested by officers for Obstructing Passage, SP1 and the other agitators, including SP2, W1, W2 and W4, began video-taping AP1's arrest. Cpl Farias #534 announced that subjects in possession of recording devices and video-taping AP1's arrest were now considered witnesses and their recording devices were subject to seizure and subsequent search. As Cpl. Farias #534 attempted to retrieve SP1's recording device, SP1 backed away from the officer and placed the recording device above his head and out of Cpl. Farias' reach. Officer Azar #564, observing the SP1 refusing to comply with Cpl. Farias' request, advised SP1 twice that he was refusing a lawful order and interfering with the duties of a public servant. SP1 refused to comply with officers and was arrested. SP1 initially claimed to be a member of the press but was unable to produce credentials upon request.

SP1 was arrested for P.C. 38.15 Interference with Public Duties for interfering with officers attempting to seize his recording devices used in video-taping AP1's arrest, as per the Bexar County D.A.'s Office. SP1's recording device and accessories were seized and placed in the property room as evidence, pending application for search warrant.

SP1 was transported to jail and his charge was rejected by the magistrate.

Upon consultation with the D.A.'s Office and following their advice, SP1 is charged with Interference with Public Duties from same incident.

The remaining WITNESSES (W1, W2, W4) and SP2 (listed above) cooperated by identifying themselves as witnesses and releasing their recording devices to officers. They were issued property receipts, awaiting applications for search warrants of their recording devices.

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**RUSSELL ZINTER; ET AL.**

**Plaintiffs,**

**v.**

**CHIEF JOSEPH SALVAGGIO; ET AL.**

**Defendants.**

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**CIVIL NO. SA-18-CA-680-JKP-RBF**

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**DEFENDANT CITY OF LEON VALLEY'S  
MOTION FOR SUMMARY JUDGMENT**

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**PLACEHOLDER FOR EXHIBIT J**

**BODY WORN CAMERA VIDEO RECORDING  
CPL. LOUIS FARIAS [COLV 00026]**

**PURSUANT TO AGREED CONFIDENTIALITY  
AND PROTECTIVE ORDER  
ENTERED ON 10/30/2020 [DKT. 82]**

David Bailey

January 05, 2022

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UNITED STATES DISTRICT COURT  
DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER, ET AL.,  
Plaintiffs,  
vs.  
CHIEF JOSEPH SALVAGGIO,  
ET AL.,  
Defendants

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(CIVIL NO.  
(SA-18-CA-680-JKP-RBF  
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REMOTE ORAL DEPOSITION OF  
DAVID BAILEY  
JANUARY 5TH, 2022

\*\*\*\*\*

REMOTE ORAL DEPOSITION of DAVID BAILEY, produced as  
witness at the instance of the Defendant City of Leon  
Valley, and duly sworn, was taken in the above-styled  
and numbered cause on the 5th of January, 2022, from  
1:43 p.m. to 4:57 p.m., remotely via videoconference,  
before Stephanie McClure Lopez, CSR, in and for the  
State of Texas, reported by machine shorthand, at  
@location, Texas, pursuant to the Federal Rules of  
Civil Procedure, and the provisions stated on the  
record or attached hereto.

Exhibit  
K

## A P P E A R A N C E S

## FOR THE PLAINTIFFS:

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Facsimile: 210.271.0602  
Email: HXS@FrigerioLawFirm.com

## ALSO PRESENT: (appeared throughout deposition)

Mr. Robert Morison  
Ms. Margaret G. White  
Mr. Joelle Thomas  
Mr. Luis Valiente  
Mr. Greg Gardiner  
Mr. Russell Zinter  
Mr. Kevin Egan  
Mr. Juan Gonzales Jr.  
Mr. Mark Brown  
Mr. Jonathan Green  
Mr. Jason Green  
Mr. James Springer  
Mr. Jack Miller

(All attendees appeared via remote means.)



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1 not. But when you look at all of them as a whole, I  
2 think that would tell an accurate picture.

3 Q. Okay. So, did you decide to go by yourself on  
4 June 18th, 2018, or did you read some notice that there  
5 could be a group of people meeting in front of the City  
6 of Leon Valley city hall?

7 A. I don't recall. Chatter, you know, that, you  
8 know, certain -- "I'm going to go," "I'm going to go,"  
9 "I'm going to go." I'm sure there was some of that  
10 involved but when it comes down to decisions, you know,  
11 I make my own decisions and I decided I wanted to go  
12 out there.

13 Q. Okay. And so, what did you take with you  
14 to -- what'd you take to have with you when you were  
15 there in front of the city building?

16 A. My camera. I may -- I think I did -- I took  
17 some charcoal fluid and that should be all. Just --  
18 just...

19 Q. Did you take a flag with you?

20 A. I did not take the flag.

21 Q. Okay. There's a picture of a flag in the  
22 Plaintiffs' complaint. It's the one with the blue  
23 stripe -- I guess the American flag with the blue  
24 stripe. Do you know what significance the blue stripe  
25 has?

1       A. Watch the killers backs. Screw us against  
2 them. Police are their own -- you know, their own  
3 cabal.

4       Q. Okay. So, is that a pro-police flag or an  
5 anti-police flag?

6               MR. GRABLE: Objection. Form.

7       A. Depends who -- depends who you ask.

8       Q. (BY MR. RUIZ) I'm sorry?

9       A. That would depend who you ask.

10      Q. Oh, okay. Because I'm trying to figure it out  
11 if it's a -- now, you say you took some charcoal  
12 fluid --

13      A. Let me -- let me answer that real -- that  
14 question pretty easy for you.

15      Q. All right.

16      A. I would say in my opinion it's neither. It's  
17 an antisociety flag, anticitizen flag.

18      Q. Okay. Can you explain that, please?

19      A. It's them against us. That's their frame of  
20 mind.

21      Q. Okay. And can you tell me who them is?

22      A. The cabal of police, the -- you know, the blue  
23 line represents we've got to stick together no matter  
24 what. We've got to protect each other and we've got to  
25 lie for each other. Whatever it takes, it's us against

1 them.

2 Q. Okay. And when you say us, who is us?

3 A. The police cabal.

4 Q. Oh, no. I thought -- well, you said them is  
5 the police cabal. You said it's them against us. So  
6 they --

7 A. And they fly that blue line flag --

8 Q. Okay.

9 A. -- this is their blue line flag and it's going  
10 us against them. Okay. Them, in this instance, would  
11 be the citizens. Us, in that instance, would be the  
12 police.

13 Q. Okay. So, the police wave that flag, it's  
14 saying that it's us police officers against them the  
15 citizens?

16 A. Sure.

17 Q. Okay. And if the citizens wave that flag it's  
18 us citizens against them the cabal police?

19 A. The citizens --

20 MR. GRABLE: Objection. Form.

21 A. -- they're gonna -- I can't speak for all of  
22 the citizens. I can speak for myself.

23 Q. (BY MR. RUIZ) Okay.

24 A. If I'm waving that flag, it's done  
25 sarcastically.

1 A. I had two encounters that day.

2 Q. Okay. Describe one at a time, please.

3 A. Okay. The first one I walked into the foyer  
4 and immediately was greeted by Anderson, who began  
5 yelling and screaming at me for standing in front of  
6 the door, which I was, telling me he's already told me  
7 once, he's not going to tell me again but the only  
8 problem was that was the first encounter. I would love  
9 to see the video, out of all the cameras there, that  
10 showed him previously telling me. There were none. It  
11 never happened.

12 So I -- I gave it back to him as good as  
13 he gave it to me, only maybe a little bit better  
14 because that's the way it is. You come at me like that  
15 and you're wrong, I'm going to come at you even harder.  
16 And from that point on I went outside and did not go  
17 back into the foyer for a while.

18 The second encounter was -- I had asked to  
19 walk inside and carry the flag. I handed my phone off  
20 to somebody else. I walked inside with the flag. I  
21 showed it to them through the glass door. I dirtied my  
22 shoes by rubbing them on it. I think there were a  
23 couple of times that somebody would approach the door  
24 and if I didn't see them, somebody else would let me  
25 know there's somebody coming so I could step aside and

1 let them come through.

2           A woman was coming through. I believe it  
3 was -- James Springer told me there's somebody coming.  
4 I stepped aside. And before you know it, Anderson  
5 almost knocked her on her -- I mean, he -- she's lucky  
6 she wasn't hurt.

7       Q. Now, you said you stepped aside and you -- I'm  
8 sorry. Can you talk about what Lieutenant Anderson  
9 did?

10       A. I had stepped aside. The lady approached the  
11 front door. She grabbed the front door and about the  
12 same time she was grabbing that front door and got it  
13 opened, Anderson comes running through that second set  
14 of doors, slams them open. I immediately turned around  
15 put my -- you know, face against the wall and my hands  
16 behind my back. He was coming out -- you know, the way  
17 he was approaching, it was obvious he -- he's looking  
18 to take some people with him to the back.

19           So, I turned around, put the flag down  
20 and, yeah, he grabbed me as well as everybody else he  
21 could.

22       Q. Okay. And so, you said he grabbed you. Did  
23 he tackle you or did he just grab your arms and  
24 handcuff you? What -- how -- how'd he approach you?

25       A. He -- by my neck that was already damaged --

1 I'm surprised you're not sure. They seized all my  
2 property for no crime. They searched me for no crime.  
3 Everything that was done was for no crime. That's  
4 just -- that's just a lot of violations.

5 Q. (BY MR. RUIZ) Okay. Now -- and, again, I  
6 represent the City. What city policy, practice,  
7 procedure, or custom that you can point to that you  
8 were retaliated against?

9 MR. GRABLE: Objection. Form.

10 A. Well, I -- if I was to hazard a guess, there's  
11 a policy against what they've done. I'm just -- I  
12 would guess. There was a written policy against  
13 everything they've done. There's the Constitution,  
14 Number 1. That's a -- that's a hell of a policy,  
15 supposed to be anyway. But that's all just pretty  
16 little paper just to make everybody happy.

17 Q. (BY MR. RUIZ) Uh-huh.

18 A. The practice, I think, has been shown in  
19 numerous videos, in numerous angles from numerous days.

20 Q. Okay. Can you be a little bit more specific  
21 on -- on which videos indicate the practice that you're  
22 saying that there was a city practice that -- to  
23 retaliate -- retaliate against --

24 A. Not really.

25 Q. -- someone --

David Bailey

January 05, 2022  
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1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF TEXAS  
3 SAN ANTONIO DIVISION

3 RUSSELL ZINTER, ET AL., (

4 Plaintiffs, (

5 vs. (CIVIL NO.

6 ( SA-18-CA-680-JKP-RBF

6 CHIEF JOSEPH SALVAGGIO, (

7 ET AL., (

7 Defendants (

8 REPORTER CERTIFICATION  
9 DAVID BAILEY  
10 TAKEN ON JANUARY 5TH, 2022

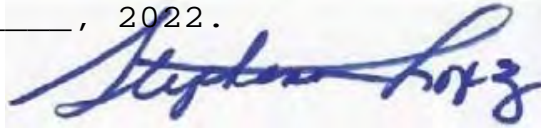
10 I, Stephanie McClure Lopez, Certified  
11 Shorthand Reporter in and for the State of Texas,  
12 hereby certify pursuant to the Rules and/or agreement  
13 of the parties present to the following:

12 That this deposition transcript is a true  
13 record of the testimony given by the witness named  
14 herein, after said witness was duly sworn or affirmed  
15 by me.

14 The witness \_\_\_\_\_ was/  X  was not  
15 requested to review the deposition.

15 I further certify that I am neither attorney  
16 nor counsel for, related to, nor employed by any of the  
17 parties to the action in which this testimony was  
18 taken. Further, I am not a relative nor employee of  
19 any attorney of record in this cause, nor do I have a  
20 financial interest in this action.

18 SUBSCRIBED AND SWORN to on this the \_\_\_\_\_  
19 day of \_\_\_\_\_, 2022.



20 STEPHANIE McCLURE LOPEZ, CSR  
21 Texas CSR 3483; Expiration: 7/31/22  
22 Magna Legal Services  
23 JBCC Firm Registration No. 633  
24 16414 San Pedro Avenue, Suite 900  
25 San Antonio, Texas 78232  
Telephone: 210.697.3400  
Facsimile: 210.697.3408



# CITY OF LEON VALLEY POLICE DEPARTMENT



To: Detective Munoz, Leon Valley Police Department  
From: Joseph Salvaggio, Chief of Police  
Date: July 10, 2018  
Subject: Arrests for PC 36.06 Retaliation

On May 2, 2018 a self-proclaimed "auditor" named Jesus Padilla (known as Mexican Padilla on YouTube Live) was live streaming in the City of Leon Valley Municipal Court, Administrative Offices and City Hall building. He had entered a secure area of the building when I observed him and asked him to leave the restricted area. Padilla repeatedly refused my orders to leave the area; and began cursing me in Spanish and English. After numerous attempts to get him to leave the area I advised Padilla he was under arrest. He refused to comply with my repeated orders to submit to the arrest, forcing us to take him to the ground as he struggled, fought and spit on me several times. After a lengthy struggle he was finally secured. Jesus Padilla was charged with Criminal Trespass and Resisting Arrest. As the arrest was unfolding, the City of Leon Valley telephone lines lit up with calls from across the world. Messages began to pour in threatening our employee's safety, their families' safety, as well as violence to our facilities. This is called "flood calling" and is a tactic that is used by the "auditors" to intimidate and harass organizations into doing what they demand. We filed additional charges on Jesus Padilla and his wife for harassment for broadcasting for a flood call to continue, as well as for harassment of our employees. The calls and emails continue to this day.



**DEPOSITION**

Plaintiff #2

Exhibit

L

**Zinter - Def Officers Bates No. 666**



# CITY OF LEON VALLEY POLICE DEPARTMENT

Jesus Padilla also broadcast a call for other "1st Amendment Auditors" to come to Leon Valley to harass and or create havoc for the city. A few days later he returned with other "auditors" and media and was promptly arrested for criminal trespass, again (he would later be arrested a third time with an auditor out of Tucson, Arizona). Other self-proclaimed "auditors" started coming by the Leon Valley Municipal Court, Administrative Offices and City Hall building in order conduct an "audit". These "auditors" were coming in daily and were disrupting court business by approaching persons attempting to conduct business at the court and within other administrative offices essential to the court. In addition, the threats of violence against our employees and I continued to pour in. I began working with the Judges assigned to our Municipal Court on a Court Decorum policy that would clearly identify where weapons and cameras were allowed.

The signed judge's order was posted in the lobby on both doors entering Municipal Court, was placed on the Leon Valley website, and copies were made to hand out to everyone who entered the areas essential to the court. This further enraged the "auditors" causing further "audits" and harassment of our city administration. Numerous calls for mass appearances at the City of Leon Valley and for phone calls to the City of Leon Valley were broadcast on YouTube. Many of these calls and videos contained threats to Leon Valley police officers and specifically, me the Chief of Police. Numerous "auditors" from across the United States stated they were traveling to Leon Valley for a "mass rally" against the police. We started seeing known "auditors" from Arizona, Ohio, Louisiana, Crowley, Texas, and Houston, Texas posting videos of their arrival in San Antonio and Leon Valley.

# CITY OF LEON VALLEY POLICE DEPARTMENT

On June 18, 2018, as Leon Valley police officers were posted at the Municipal Court entrance searching people and notifying those entering of the Municipal Court Judge's order banning recording devices, another self-proclaimed "auditor", David Bailey (known as Texas Wolfman on YouTube) was blocking the entrance when he was asked not to do so multiple times. After continuing to block the entrance, preventing a citizen from entering the building, Bailey was arrested for Blocking a Passageway. Later this day, numerous calls to action were posted and broadcast on YouTube channels along with death threats to Leon Valley employees, my family and I. I did not know any of these "auditors" prior to their arrests; so, any threats being made were in retaliation of the lawful arrests that were being made by the Leon Valley Police Department and I while in our official capacity as police officers in the State of Texas.

June 18, 2018, was the first day I became aware of the auditors posting my personal address, along with death threats on the "auditors" YouTube Live Videos. These videos were being posted on the individual auditors YouTube account that they alone control. In addition, each auditor has "moderators" or "mods" who are given a "wrench" that can remove posts from their video feeds. These "mods" can be seen removing posts from the YouTube Live video that are in support of police officers and against the YouTube Live channels owners liking; but they left the home addresses and death threats to my family and I on their feed. The person filming the YouTube Live segment and the "mods" can see the posts approximately a minute before they are seen by the public; yet took no effort to remove them or stop anything that were threatening or addresses of my family and I. In addition, they posted the videos on their YouTube live account without

# CITY OF LEON VALLEY POLICE DEPARTMENT

ever trying to remove anything that would be deemed harmful or threatening, or my family's personal information as well as mine. I became very fearful for my family's safety, as well as scared for my own life. I immediately went home and removed my family from the house. They were kept away for well over a week out of being terrified for their safety. The attacks continued.

Throughout the week auditors posted the information and death threats numerous times, which was quickly spread through their YouTube networks to tens of thousands of followers. During these posts and live streams our names, home address and phone numbers were continually shared and numerous threats to harm us were posted as were threats to kill us and our entire families. These threats and calls for violence placed my family and I in fear of personal harm, injury or death. There were so many posts and threats I was unable to keep up. Many friends, acquaintances and supporters were calling me and warning me of the group's threats and intentions. My family and I are and have been in fear for our lives. My wife and children were not able to return home for fear for their lives. My son-in-law has gone as far as installing a new home security system he can monitor in real time and I have been forced to re-install a security system in my home out of fear for our safety.

All of these self-proclaimed auditors banded together in their separate live streams and broadcasts and asked their followers to come to the City of Leon Valley in mass on June 22, 2018, for a mass demonstration and mass disruption. Due to the extensive communication traffic on their sites, and the clear signs of escalation in their actions, I reached out to other local and state police agencies for mutual aid assistance. The

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Department of Public Safety (DPS), Bexar County Sheriff's Office, San Antonio Police Department and Leon Valley Police Department all placed officers on standby in case of a mass demonstration or mass disobedience by the different groups and individuals that had responded with intentions to come to Leon Valley. By the morning of June 22, 2018, Jason Green (AKA – Ohio Guardian) and his son Jonathan Green (AKA – Ohio Guardian 2.0) live streamed their travel to Leon Valley. Bao-Quoc Trac Nguyen, James Springer, and Joseph Pierce also live streamed their return to Leon Valley from Crowley, Texas. There were calls for weapons to be brought and mass executions of police officers and my family. The auditors continued to post the death threats along with my personal information on their YouTube Live accounts, making no attempt to remove anything threatening or my personal information, yet continued removing things that were pro-police. This deliberate and purposeful actions on the part of these individuals demonstrates that they condoned, supported, and were intentionally leaving the threats and personal information on their sites, despite having the ability to remove it when it occurred, or throughout the week by removing the video from their YouTube Live channels. The owner of the account is solely in control of the material being posted, and in accordance with the YouTube Live account they agreed to, they and they alone are responsible for the content of their videos.

On June 22, 2018 approximately twenty-five "auditors" descended on the City of Leon Valley Municipal building which houses City Hall, the police department, city administrative offices, and Municipal Court, court offices, and areas essential to the

# CITY OF LEON VALLEY POLICE DEPARTMENT

court. They lawfully photographed from areas they could legally do so throughout the day. No attempt by our department or assisting agencies were made to contact them or arrest them for any violations. Throughout the day, auditors harassed civilian employees and police officers by deliberately walking in front of personal vehicles as they were leaving and taking videos and photos of employee's, their vehicles and license plates. The auditors would post this information live on YouTube and ask someone to "run them" and get the personal information of the owners. This further increased the fear of all employees for the City of Leon Valley.

On Saturday June 23, 2018, several of the "auditors" were at the building when I arrived to try and catch up on the plethora of open records requests, phone messages, and emails that have inundated our city staff and I since the "auditors" began their harassment campaign. I began getting calls and emails from citizens who were seeing the YouTube live streams from the 10-15 auditors who were at the building. All of the emails and calls stated there were more death threats and my family (wife- Patricia) and my personal information were being shared on Bao-Quoc Trac Nguyen and James Springer's YouTube Live accounts. They all said Bao nor Springer were taking any action to remove the threats or personal information from the videos they were posting to their personal YouTube accounts. I began watching the feeds and saw some of the death threats and personal information being posted on both of their accounts. In a video dated June 23, 2018, I observed Bao-Quoc Trac Nguyen personally interacting with the commenters on his YouTube Live post, reading off some comments, yet



# CITY OF LEON VALLEY POLICE DEPARTMENT

skipping over the posting of my address and the death threats. I witnessed him read posts above and below a threat and address, but never make any comment or take any action to stop the death threats and addresses being placed on his live feed. In addition, Bao-Quoc Trac Nguyen never asked his "moderators" to remove the addresses or death threats from the post, nor did they remove the posts that had death threats and my personal address on the YouTube Live posts that they posted and solely controlled. The video remained on YouTube Live as of the date of this statement.

I also reviewed a video post from James Springer dated June 23, 2018. In this video I witnessed a person known to me as Zhoie Perez (You Tube Live name of Furry Potato) live streaming for James Springer on his "James Freeman" YouTube Live account. In the live stream, my personal address was given out multiple times, and Zhoie Perez (Furry Potato) even repeats the address out loud. James Springer is seen interacting with Zhoie Perez throughout the video, and the YouTube Live account is James Freeman (James Springer). The moderators on the account that day are the same as the moderators that are usually on James Springers account, including James Springer's wife (known as Mrs. Springer on YouTube Live). Neither Zhoie Perez nor James Springer asked the "moderators" to remove the addresses or death threats from James Springers live post, nor did they later remove the posts that had death threats and my personal address on the YouTube Live posts that they posted and solely controlled. I contacted a member of the Bexar County District Attorney's Office with my concern that the original video evidence on their cameras could be lost if we allow them to leave and travel back to whatever out of town location they lived. I also shared my

# CITY OF LEON VALLEY POLICE DEPARTMENT

concern that the vast majority of the people that were here were unknown to us; and would be lost as witnesses if we didn't identify them at that time. The Assistant District Attorney agreed with me that we had more than enough probable cause to make the arrest and preserve the video evidence, to include the recording devices of those present at that time. As most of my staff are off on Saturday, I began calling officers in to assist with the apprehensions.

At approximately 1600 hours I walked out of the building, approached a member of the group and advised her I would be making a statement at the front doors in approximately 20 minutes. I gathered up enough officers to be able to safely effect the arrest and went outside. I saw Bao-Quoc Trac Nguyen backing up in the street as if he was getting ready to run. I advised him and James Springer they were under arrest for PC 36.06 Retaliation. Unfortunately, Zhoie Perez ran from the location and was able to escape. We will conduct an investigation on this individual for possible charges to be filed at a later date. I also advised another individual that was blocking the roadway that he too was under arrest. This person became to be known as Jonathan Green (known on YouTube Live as Ohio Guardian 2.0) from Ohio. After officers properly identified him, I asked that he be released for possible charges to be filed at a later date. The remainder of the group were taking photos or video of the event as it unfolded. I advised everyone present that they were considered witnesses and would have to remain at the location until they were identified, and that we would be seizing all recording devices as evidence. I further explained that a warrant would be obtained for the evidence and the device would be returned to them once completed. Several members of the group

# CITY OF LEON VALLEY POLICE DEPARTMENT

refused to identify themselves or refused to allow collection of the recorded evidence.

Those individuals were arrested for either failure to identify as a witness, for interference with the duties of a peace officer, or for both. Another individual was present with an oxygen machine and tubing. Despite being outside in the hot sun for most of the day, within a few minutes he began stating he was getting dizzy. We offered him water, to which he stated he had Gatorade (orange in color). Captain Saucedo called for EMS whom came to the front of the building to treat the individual. We had no additional contact with the individual once EMS arrived.

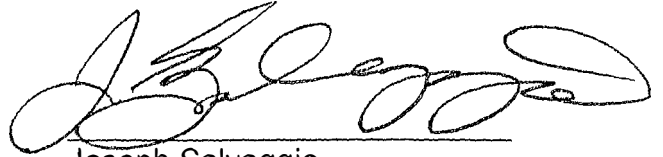
Within minutes of the arrests videos were being taken down and YouTube Live accounts were being deleted. I ordered my detectives to complete a preservation order to be issued to YouTube for all of the active "auditors" that we had seen death threats and my personal information on, or accounts that we were notified of by citizens and police officers from around the United States that contained them. We will be seeking warrants for each of the devices and each YouTube account involved in these threats and posting of my personal information. I continue to live in fear for my family and my life. My wife and daughter were not allowed to return home for a week and a half. We all remain in constant fear due to the videos posted by Bao-Quoc Trac Nguyen and James Springer as retaliation for my service as a police officer. In the near future, we plan to review the videos of the other YouTube Live "auditors" that have been involved and to file additional criminal charges for retaliation as warranted.

Please feel free to contact me at (210) 812-3345 if there are any questions or concerns with this report.




CITY OF LEON VALLEY  
POLICE DEPARTMENT

Very Respectfully,

A handwritten signature in black ink, appearing to read 'J. Salvaggio', written over a horizontal line.

Joseph Salvaggio  
Chief of Police  
Leon Valley Police Department

Search



shout karen  
im gonna get more good ph water next  
door to the BBQ place  
YOU NEED TO AUDIT THIS ADDRESS  
14534 panther pt helotes tx 78023  
I know Rica I gotta get my glasses!

1:25:52 / 2:59:35

We are protesting piggies guys, protesting piggies 😊

Clash With Bao

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7,579 views

284 43

Streamed live on Jun 23, 2018  
Link For TTS:

Top chat replay

- Genesis Trolls getting beaten with them wrenches!
- Michael Smith mods are acting like tyrant cops again
- My Family Outdoor Adventures tay lynn they arnt lying
- Mr. Anakin lol coko albert was cool 🤔
- Tay Lynn ALBERT NOOOOOO
- raccoon my wife stays there lol
- Aaron Queen I encourage everyone to stop responding to anything said about David. Let the mods do their thing.
- Rica The Hopeful Voluntarist Alberts not a troll he's a good egg
- News Now Marijuana Hey genesis 🤔🤔
- Coko Whit shit sorry Albert thought it said Alex!!
- Change Is Coming WHY IS THE SPOKESPERSON FOR THE MOVEMENT ITS SICK
- News Now Marijuana Hey rica 🤔🤔
- raccoon shout karen
- Daymond ' Chief ' Jones im gonna get more good ph water next door to the BBQ place
- Coko Whit I know Rica I gotta get my glasses!

HIDE CHAT

FORTNITE

Exhibit  
M





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WAXEN-JAXON-FLAXIN #1 fuxk chomos



PINK QUEEN95 I RALLY DONT SEE WHY YOU ARE CHARGING FOR THESE MSGS i mean i support everyone doing this but not for a fee



Ron R tattoo genius on your forehead for \$200



Aaron Queen LVPD STEALS



Rob B PUNK TYRANTS SHOULD BE IN PRISON FOR THE CRIMES THEY COMMIT!



Cyrex7 Paul Revere Chief Jones is an auditor know your facts b4 you come at me 🙌



Joe Stover just write something that gets to the point of why you are there. most people driving by have no clue.



WAXEN-JAXON-FLAXIN #1 good thing I'm. it there



Mc Cc FUXK THE POKICE



Jay Kaiser Leon Valley enforces tyranny.



Tay Lynn 🐦  
<https://streamlabs.com/defenselesschamp>



Mc Cc write FUCK THE POLICE



Thrombotic Event "Salvaggio Needs A Hot Lead Enema"



Eastern Kentucky Accountability 🐼

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<https://streamlabs.com/defenselesscham> Bao  
WILL HEAR YA



Aaron Queen Forced laugh



COAP - California Oath Accountability Project Bao,  
Please write " WE NEED HELP. SEND THE U.S. ATTY  
GENERAL"



docstrange27 yes joanna is beautiful.



My Family Outdoor Adventures kimber  
WORDEN,EARL DAVID



TC08071 IT WENT THROUGH THAT TIME COOL



William Moore I WILL SEND IT TO ETHICS PAY PAL  
NOW



PIG PICKIN Even if NNH is on sex offender we don't  
know the whole story!! So shut up already



mmnote That's good COAP



Why Not Ban Everybody Put " We some 911 dancing  
fools" on the sign



3th2 Anon FUCK YES



Rob B #SALVAGIOTHEHO



3th2 Anon GOOD SIGN



raccoon pearl harbour



Skorp Kitsan @The Hip I just checked it, I am pretty  
sure that is his address

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raccoon bring back jack paradise



Keepcrying YouBaby I killed padilla



PIG PICKIN what does the sign say??



Mr. Anakin dam @genesis



bigish813 G Padilla is get work done with Felipe and the dream team



Coko Whit Genesis, I drink a coke w/ Pizza but I love coffee at all times of day



raccoon oink



Mc Cc OinkFest 2019



Genesis @Mr. Anakin sounds like he's judging my coffee/pizza combo



Mr. Anakin @coko lol



Kimber 10MM dont you know Padilla is always locked up



PINK QUEEN95 @KEEPCRYINGYOUBABY YOU ARE BEING REPORTED NOW



Keepcrying YouBaby Hahahaha



Coko Whit I rarely drink Coke, just w/ Pizza and at one Mexican restaurant.



Skorp Kitsan Well here you go guys, go ask him personally, he is a thief. The Chief's address: 14535 Panther Pt Helotes TX 78023-4366

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<https://streamlabs.com/defenselesschamp>

Top chat replay ▾

- 3th2 Anon nice doxx on the cheif
- Genesis YOU WATCH YOUR MOUTH Anakin! Lmao
- Jim Dickenson Bao made the Chief Famous!
- E Fuentez San Antonio loves you Bao!!
- Keepcrying YouBaby These people are registered sex offenders
- Mr. Anakin LMAO
- Ranger Horse Honk if you support the 1st Amendment
- Mc Cc please drink some water BAO
- My Family Outdoor Adventures BEING IN THIS MOVEMENT JUST TO MAKE MONEY IS BULLSHIT
- Ron R I thought that was a rooster
- Genesis Lmaooo
- Why Not Ban Everybody Justin Trudeau = Jeremiah Castro of the davidic line
- raccoon yer going to get knocked down young man take care
- Mc Cc BAO water...now
- Thrombotic Event 14535 Panther Pt Helotes TX 78023-4366 - House is blurred out on street view.

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Mc Cc ok



Tuc. Police Suck Leon Valley police " FREE Electricity.



Lazec Susej Im the coolest WOLF on here



Gang Of Four BAO. SHOUT OUT BROTHER.



PIG PICKIN Are you doing all the work??



phoenix 602 Keeep crying must be in the same group



William Moore @ MY FAMILY OUTDOOR FUCK OFF



Myopic Illumination Make a detour on your sign, send the traffic down the road in front of the Police Station..



Mc Cc good good.... we care



StikmanModesto we need the Chiefs home phone number and personal cell number



Keith B He is doing all the work



PINK QUEEN95 write : AMENDMENT RIGHTS VS COPS



Skorp Kitsan The Chief's wife's name is: Patricia Salvaggio



League Science The most certain test by which we judge whether a country is really free is the amount of security enjoyed by minorities.

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League Science The most certain test by which we judge whether a country is really free is the amount of security enjoyed by minorities.



Skorp Kitsan Goes by "Tricia"



Bug Bite BAO 4 DOG CATCHER



Flo-rida Hillbilly BOW TO BAO!!!



hsan fakhfakh t



Coko Whit beep beep



Ajaya Stha hey



My Family Outdoor Adventures moore the truth hurts look it up are you a sex offender too



Genesis Gimme a wrench BAO. There's some people I wanna hit.



Bug Bite LOL



Danny Fire SIGN SHOULD READ: I'LL LET YOU TOUCH IT FOR A DOLLAR!



Lazec Susej PINK is pretty



Keepcrying YouBaby So is Padilla's wife name is Patricia



Ron R tattoo beggar on your forehead



Dawn Calkins SAD THAT THE CITIZENS ARE NOT OUT THERE HELPING

HIDE CHAT

FORTNITE







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ADRIAN WAGNER such a better stream today...strange



Mr. Anakin if you want to donate for the cause. <https://streamlabs.com/defenselesschamp>



Genesis Bye @mr707racer! Lol



Randy J Trying to make money doing it!!!



Genesis Byeeeeeeee



Genesis Lol



Coko Whit Thanks 707 ur so sweet



Norman Baker not like Mich. no rust



Michelle Get the word out to the citizens that should join y'all. Good work



Kimber 10MM the black SUV did that on purpose Tinted windows and all Light was Green as can be



king zombie QUIT RAIDING HOMES OF PPL WHO FILE COMPLAINTS



Skewter earlier as well



Blackfoot Minuteman New MOS= Anti-Tyrant sign holder



David S lol @felix



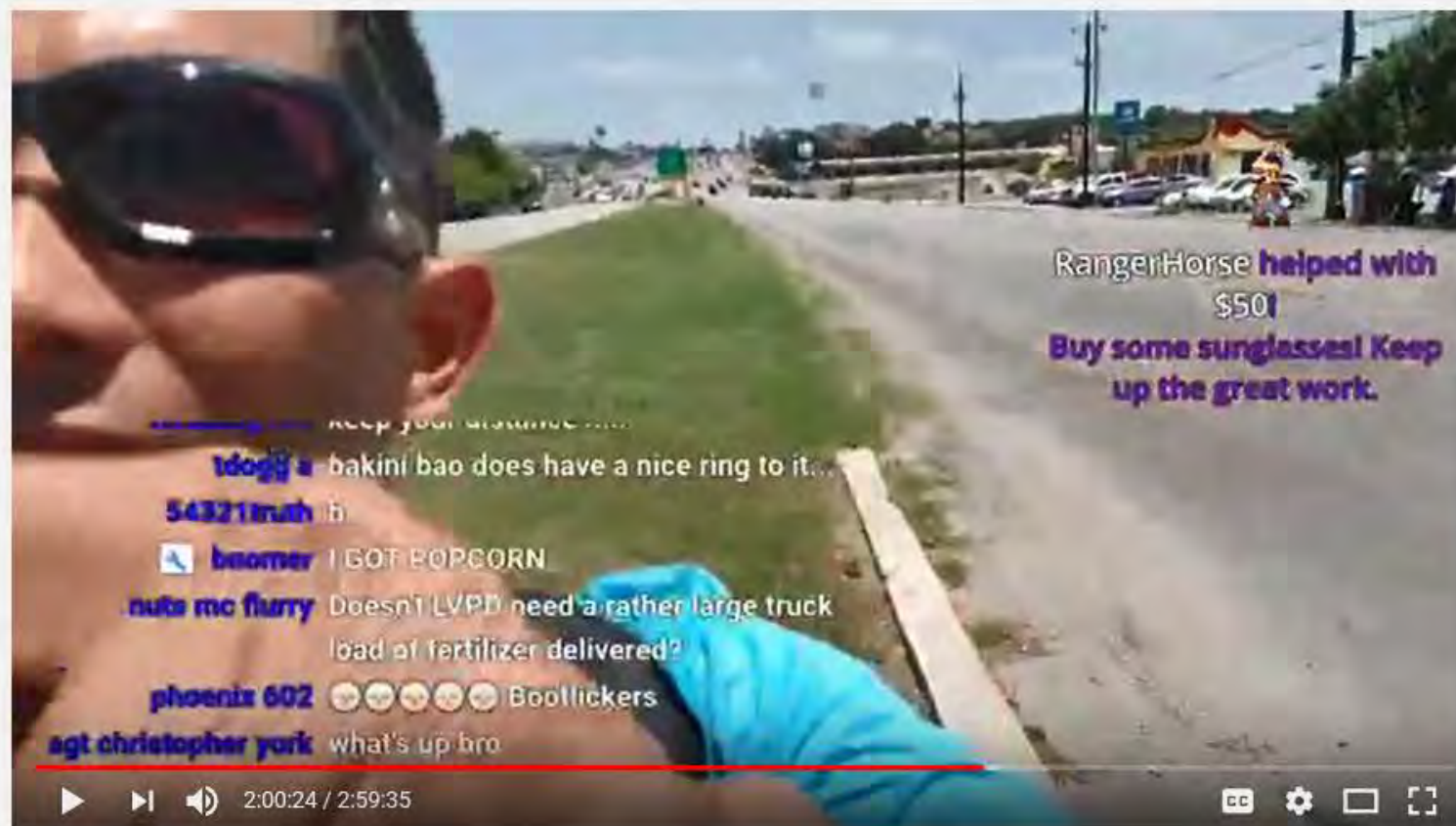
Bean Frances HONK IF YOU'RE HORNY

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does Live Review on flagging.



Mr. Anakin 🛠️ what occurs in a trolls head to post dumb shit? Get a life!



bigish813 G bao is a big boy he can handle trolls  
trust me



Greedy Troll good job deleting that guys comment to shoot up the pd. not



Genesis How many dumbasses must the mods beat over the head with wrenches before they learn not to troll??



3th2 Anon BAO, patrol on Bandra, be advised



Norman Baker LOVE the MODS



John Thomas goggles to hot



TEMTA SEAN A least you are not a DUSE pretending to be a CHIC!!!!



Skewter there you GUCCI time



Coko Whit  Anakin ... good question



Tdogg E bakini bao does have a nice ring to it...



Boomer I GOT POPCORN



**Nuts Mc Flurry** Doesn't LVPD need a rather large truck load of fertilizer delivered?



phoenix 602  Bootlickers

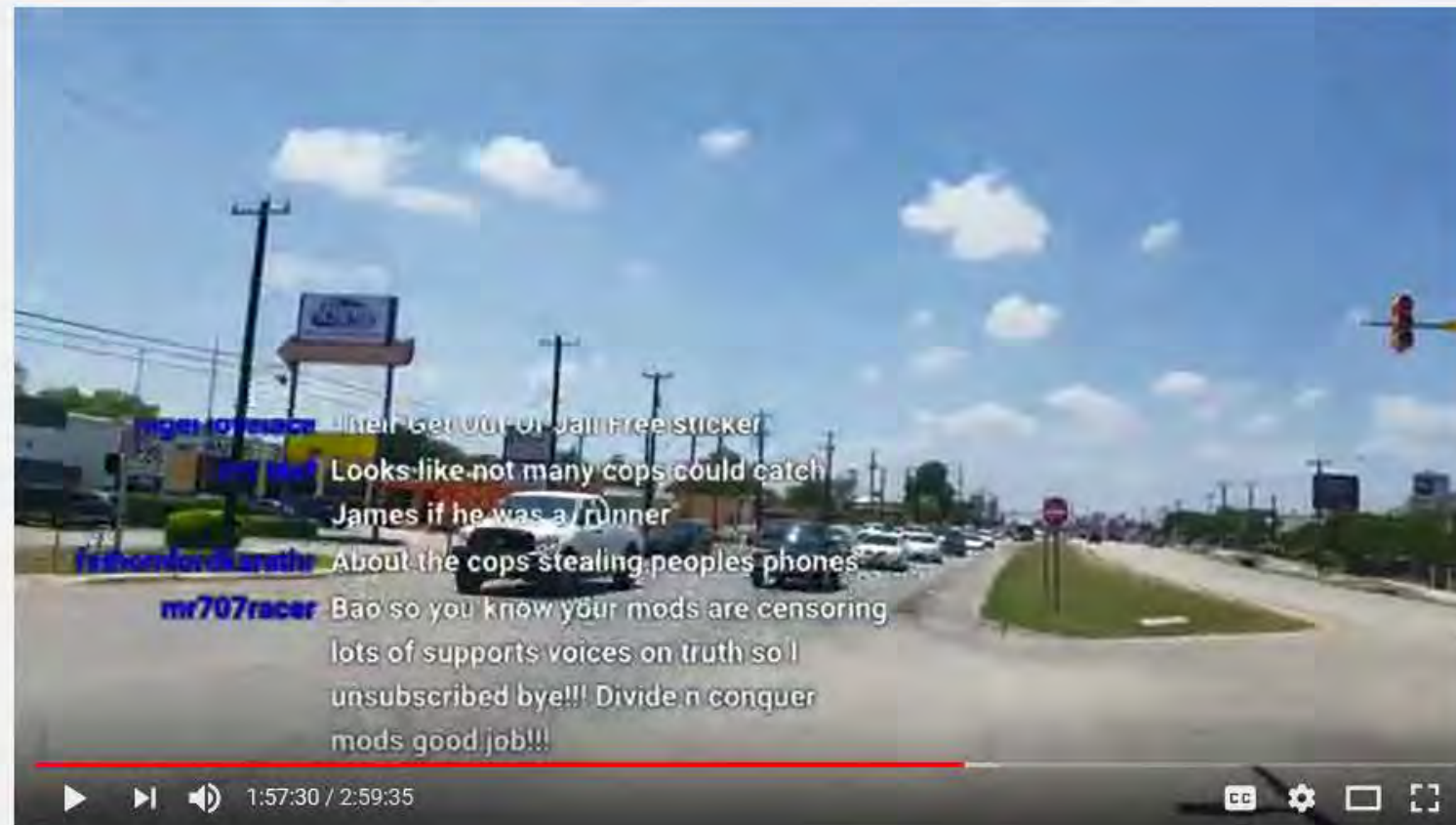
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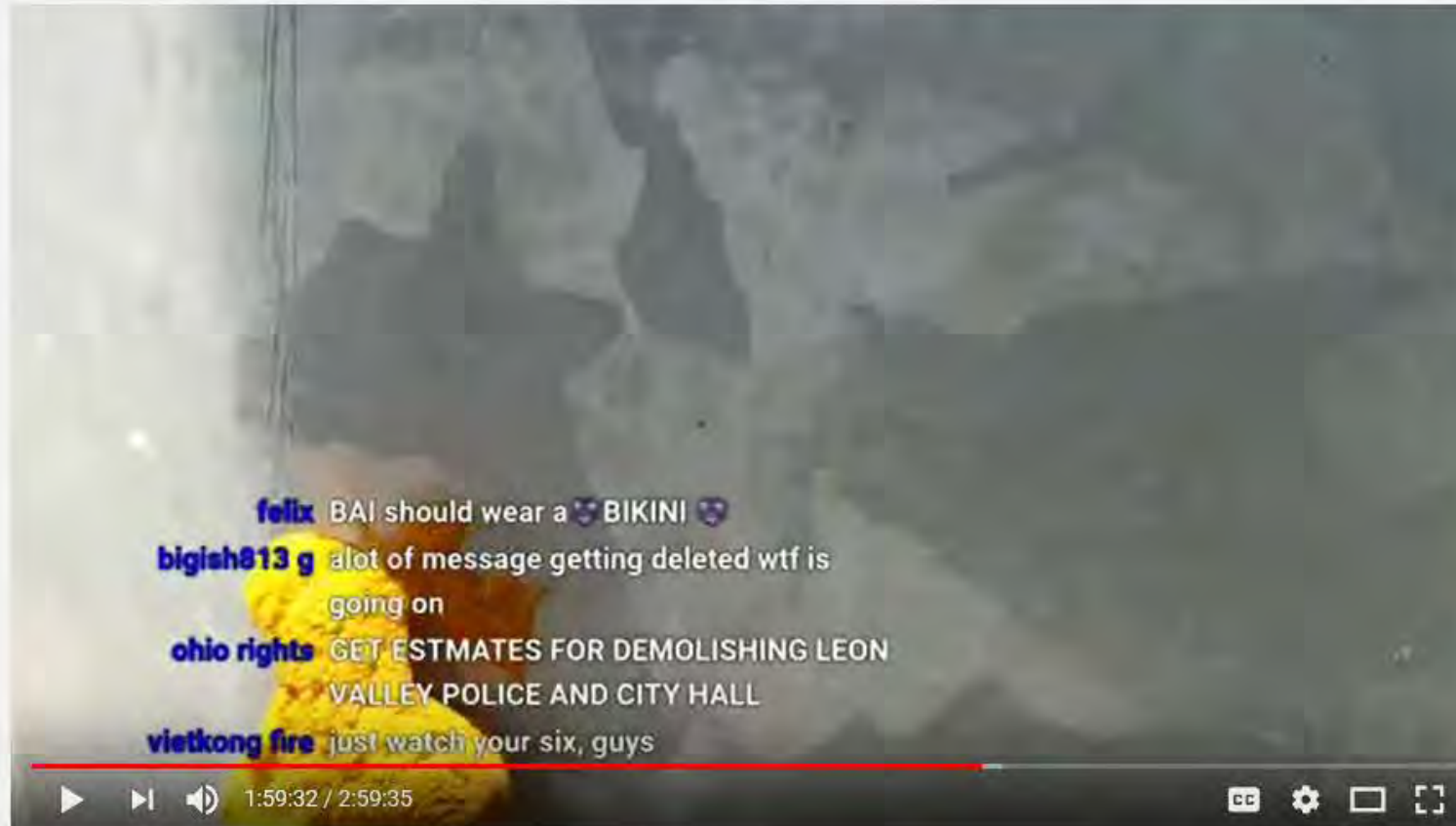
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- Norman Baker not like Mich. no rust
- Michelle Get the word out to the citizens that should join y'all. Good work
- Kimber 10MM the black SUV did that on purpose Tinted windows and all Light was Green as can be
- king zombie QUIT RAIDING HOMES OF PPL WHO FILE COMPLAINTS
- Skewter earlier as well
- Blackfoot Minuteman New MOS= Anti-Tyrant sign holder
- David S lol @felix
- Bean Frances HONK IF YOU'RE HORNY
- Genesis True @king zombie
- PINK QUEEN95 post any info u have from leon valley corrupt piggies
- Randy J I believe in freedom of speech Michael. Even I didn't like it I wouldn't flag.
- Skewter Bao ... why is everyone jacking with you bro
- John Thomas if you were trying to make money its not a very lukrative business
- Cyrex7 mods throwing 🛠️, 👍 thx
- bigish813 G alot of message getting deleted wtf is going on

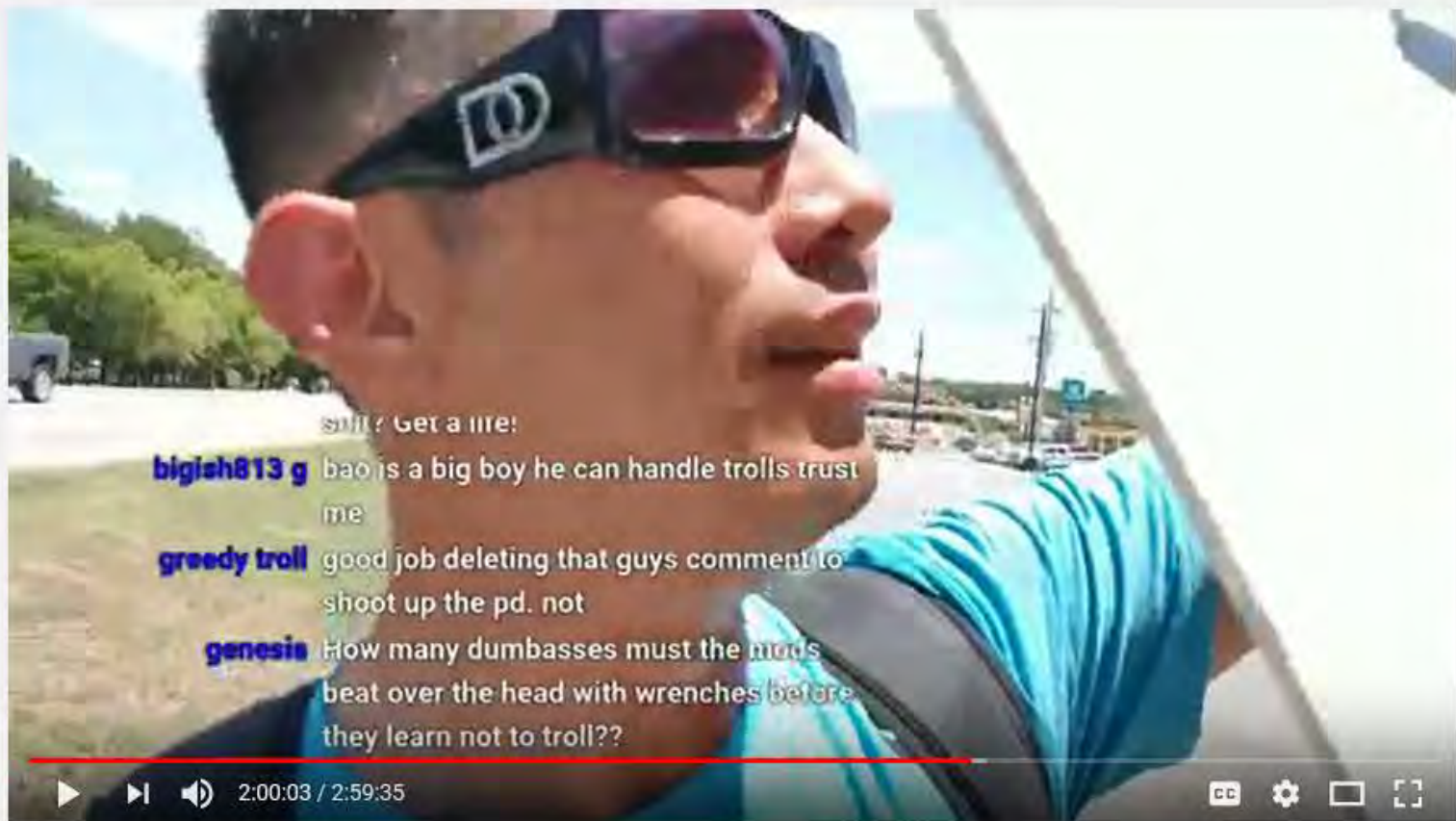
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Eastern Kentucky Accountability yes thanx mods



docstrange27 he is ranting at the door



SouthernGirl8888 STAR Piggy 🐷 piggy 🐷 oink 🐷 oink 🐷



Coko Whit 🦋 haha Felix



Roger Hollenbeck lurker lurker



JACKinURbox He is filming the door because they will arrest them for filming inside!



Michelle It's just the sheeple that cant open their mind to what's really happening



James Barnes bigish813 G Alot of traitors and trolls



BLACKLAB3L COPWATCH 🦋 Good thing, Youtube does Live Review on flagging.



Mr. Anakin 🦋 what occurs in a trolls head to post dumb shit? Get a life!



bigish813 G bao is a big boy he can handle trolls trust me



Greedy Troll good job deleting that guys comment to shoot up the pd. not



Genesis How many dumbasses must the mods beat over the head with wrenches before they learn not to troll??

HIDE CHAT









protesting The Sovereign Citizens

1015 views



**James Freeman**

Streamed live on Jun 23, 2018

**SUBSCRIBE 33K**

Category


**Education**


Live chat replay ▾



- missingserenity @Lego Batman 3:13pm
- iampracticinpiano This is old school protesting-- literally, giving people a SIGN! Wake up, sheep!
- MC Veteran Cop vehicle was 603 code for 666.
- sarah te @Precia Padilla does MP have an update video? so many keep asking for details in here..
- graham guitard I want to see the police chief of Leon Valley step down
- Judo Johnny seige the city!
- Skorp Kitsan Chief's address: 14535 Panther Pt , Helotes TX 78023 - red brick house!
- Boomer TENNESSEE JEFF THANKS SO MUCH HUN
- bakishamil 1 for YES and 2 for NO
- Sacramento Linnie blue ISIS in America
- Shadowbrut EOA LONDON NEWS my name is Marcy from London Ontario Canada
- Trim Hits Where is Padilla's car ?
- Lego Batman thanks
- Grey Shadow all cops are garbage notice not one so called good cop has done a thing

DEFT COLV 00241

☰  Youtube  🔍 📺 📱 🗨️ 🔔




▶ ⏮ 🔊 21:26 / 37:27 CC ⚙️ 📺 📱 🔍

### Protesting The Sovereign Citizens

11,015 views

👍 632 🗨️ 44 ➦ SHARE ⋮












**James Freeman**  
Streamed live on Jun 23, 2018

Category **Education**

License **Standard YouTube License**

**SUBSCRIBE 33K**

**Live chat replay** ▼

- referenced youtube Leon valley
- b** bill bead That Pussy Chief is probably hiding under his desk
- G** Gary Y where's the dopey cop with the limp wristed arm hanging out the window
-  Paul Edwards As monkey would say No justice no peace
-  Shadowbrut EOA LONDON NEWS he's doing something if 1 persons stops to see what he's doing and why. getting attention and passing it on. obviously he's got ur attention grey shadow
-  Rica The Hopeful Voluntarist 🦋 lol doc you love her don't you? but what's not to love she's a cutey
-  iampracticinpiano NO TURN SIGNAL. ONE HAND ON STERRING WHEEL = DOUCHEBAG COP. Piggy Piggy Oink Oink.
-  Brubble Butt @Boomer Are you in tenneseee?
-  Skorp Kitsan Chief's address: 14535 Panther Pt , Helotes TX 78023 - I am sure he will be hiding there
-  crazy carl go get them brother 🦋 🦋 🦋 🦋 🦋
-  MC Veteran James Beard walks faster than he does.
-  Mike H You Guys Should Go Audit BANIS TOWING LOL

HIDE CHAT REPLAY



## Protesting The Sovereign Citizens

1,015 views

632 44 SHARE



James Freeman

Streamed live on Jun 23, 2018

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Category Education

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### Live chat replay

- Jake Scott End the tyranny!!!!!!
- California Guardian JH&M yes protesting does make a difference
- News Now Yucaipa The Chief is at the station. But no cameras allowed in the lobby
- Wild Bill good work on getting the chiefs address
- SittingInDetroit If they don't pay for a licence they have more money to kick back to the politicians and cops...
- Tennessee Jeff Yes.
- Mannard Mann Skorp: Added to the Corrupt Cop Registry
- tommystock64 HA HA !!!!!1
- Mark Miller Right on Mr. Padilla!
- Grey Shadow time to shut thse terrorist thugs down
- Skorp Kitsan Chief's address: 14535 Panther Pt , Helotes TX 78023
- Rica The Hopeful Voluntarist @Lazec Susej Hi
- Marita Gladson Hit the Like button the thumbs up to show support

HIDE CHAT REPLAY



protesting the sovereign citizens



otesting The Sovereign Citizens

1015 views

632 44 SHARE

**James Freeman**  
Streamed live on Jun 23, 2018

**SUBSCRIBE 33K**

Category **Education**

License **Standard YouTube License**

Live chat replay

- LUZEE GUSJ good point time
- michmadman52 protesting opens peoples eyes
- Brubble Butt Thanks but i'm not gay
- Wild Bill you guys need a 8ft banner!
- Audit Recon Thanks for the stream.
- TheBamaguy334 I am not able to make out there but you guys have my support 100 percent
- Brian Johnson lol
- Skorp Kitsan Chief's address: 14535 Panther Pt, Helotes TX 78023 - HE is UNLAWFULLY and ILLEGALLY stealing yalls personal property. Go get it back!
- Grey Shadow shut these thug terrorist down with force
- Boomer NO HIDEING PLEASE
- J&H M you have to takeit back by force
- Roland Coon Write "Leon Valley, YOUTUBE" on the board
- News Now Sweden I am sorry but I am laughing, James look comical with his beard 😂
- bakishamil Who is behind the camera

HIDE CHAT REPLAY

Up next

AUTOPLAY

Kevin Egan

January 12, 2022

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF TEXAS  
3 SAN ANTONIO DIVISION  
4

5 RUSSELL ZINTER; et al, )  
6 )  
7 Plaintiffs, )  
8 Vs. ) CIVIL NO.  
9 ) SA-18-CA-680-JKP-RBF  
10 CHIEF JOSEPH SALVAGGIO, )  
11 et al, )  
12 Defendants. )

13 ORAL AND VIDEOTAPED DEPOSITION OF  
14 KEVIN EGAN

15 JANUARY 12, 2022  
(Reported Remotely)

16 ORAL AND VIDEOTAPED DEPOSITION OF KEVIN EGAN,  
17 produced as a witness at the instance of the Defendants  
18 and duly sworn, was taken in the above-styled and  
19 numbered cause on January 12, 2022, from 9:04 a.m. to  
20 11:52 a.m., before Teresa Smith, RPR, Texas CSR Number  
21 11814, California CSR Number 13473, in and for the State  
22 of Texas, reported by computerized stenotype machine,  
23 pursuant to the Texas Rules of Civil Procedure and the  
24 provisions stated on the record herein.  
25

Exhibit  
N

A P P E A R A N C E S

FOR THE PLAINTIFFS:

AUSTIN REYNA, ATTORNEY AT LAW  
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(210) 227-3243  
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FOR THE DEFENDANT:  
(Leon Valley Police Officers)

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LAW OFFICES OF CHARLES S. FRIGERIO  
111 Soledad, Suite 840  
San Antonio, Texas 78205  
(210) 271-7877  
csf@frigeriolawfirm.com

ALSO PRESENT:

KTA Video Host

Jonathan Green

Jason Green

Juan Gonzales, Jr.

Kevin Egan



1 ALSO PRESENT (continued):

3 Mark Brown

4 Russell Zinter

5 James Miller

6 Greg Gardiner

7 David Bailey

8 Joelle Thomas

9 Luis Vailente

10 Marlena Guajardo

11 Carolyn Stritzke

14 --oOo--

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## EXHIBIT INDEX

(No exhibits were marked or proffered.)

--oOo--

1 BY MR. SAENZ:

2 Q. When you're -- when you're reading YouTube  
3 channels, have you ever come across, that you recall,  
4 any police threats?

5 MR. REYNA: Objection. Form. You can answer.

6 THE WITNESS: I'm not hearing properly that  
7 last word.

8 BY MR. SAENZ:

9 Q. Police threats, T-H-R-E-A-T-S.

10 A. Oh, okay. Yeah, probably.

11 Q. Okay. And when you see any, do you do  
12 anything about it or -- or what do you do?

13 A. I don't do anything because they're all  
14 usually blowing smoke up their butt.

15 Q. Okay. Were you aware that there had been some  
16 police threats made toward the Leon Valley police  
17 officers in 2018?

18 MR. REYNA: Objection. Form. You can answer.

19 THE WITNESS: I became aware of it afterwards.

20 BY MR. SAENZ:

21 Q. Okay. And what was your understanding?

22 A. That -- that somebody posted the Chief's  
23 address, home address.

24 Q. Oh, okay. Was that something that you became  
25 aware of on June 23rd, 2018, when the Chief came out?

1     unwritten policies.

2             Q.    Okay.

3             A.    And -- and being from Chicago, I'm very  
4     familiar with unwritten policies as far as the city and  
5     police goes.

6             Q.    But --

7             A.    The city knew -- the city has known for how  
8     many weeks what was going on, and they continued to let  
9     it happen, which would tell me that their policy was to  
10    let the Chief do what he did.

11            Q.    So, are you indicating that the -- the -- that  
12    the -- the city around the -- well, what -- now, I guess  
13    it -- it's following a certain policy as directed.

14                   Are you indicating that there was a policy  
15    that -- that Chief Salvaggio was following or that  
16    the -- the city allowed the Chief to exercise his  
17    discretion on whatever he was doing?

18                   MR. REYNA:  Objection.  Form.  You can answer.

19                   THE WITNESS:  I have no idea.

20    BY MR. RUIZ:

21             Q.    Okay.

22             A.    I don't know how to answer that one.

23             Q.    Okay.  And it's generally the -- Salvaggio was  
24    acting under, you know, if there's a city policy to  
25    arrest anyone that was exercising the First Amendment

1 right, so Salvaggio did what he did. So that's the  
2 essence of my question.

3 Is there a policy that you believe that --  
4 that -- that the Chief followed to -- to do what he did?

5 A. To detain everybody, I would probably put it  
6 that way. They allowed him to detain everybody and  
7 actually go away from the property and round up other  
8 people.

9 Q. And -- and so there was a -- do you believe  
10 that was a -- the city's policy?

11 A. Well --

12 (Crosstalk.)

13 (Reporter Clarification.)

14 THE WITNESS: A specific policy to allow him  
15 to go and round up everybody, probably not; but a policy  
16 of letting him have free rein to do whatever he wants.

17 BY MR. RUIZ:

18 Q. The -- now, we -- we discussed this word in  
19 other depositions. An auditor. Can you tell me what  
20 you believe an "auditor" is?

21 A. I -- I don't know. It's what they call  
22 themselves. They go out and stand and film something  
23 and see if anybody's going to try to tell them that they  
24 can't. I don't particularly care for the word  
25 "auditor". I -- I kind of prefer "investigator".

Kevin Egan

January 12, 2022  
Page 109

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF TEXAS  
3 SAN ANTONIO DIVISION

3 RUSSELL ZINTER; et al, )  
4 )  
5 Plaintiffs, )  
6 Vs. ) CIVIL NO.  
7 ) SA-18-CA-680-JKP-RBF  
8 CHIEF JOSEPH SALVAGGIO, )  
9 et al, )  
10 Defendants. )

11 REPORTER'S CERTIFICATION  
12 DEPOSITION OF KEVIN EGAN  
13 TAKEN JANUARY 12, 2022

14 I, Teresa Smith, Certified Shorthand Reporter  
15 in and for the State of Texas, hereby certify to the  
16 following:

17 That the witness, KEVIN EGAN, was duly sworn  
18 by the officer and that the transcript of the oral  
19 deposition is a true record of the testimony given by  
20 the witness to the best of my ability;

21 That the deposition transcript was submitted  
22 on \_\_\_\_\_, to the witness or to the attorney  
23 for the witness for examination, signature and return to  
24 KIM TINDALL & ASSOCIATES, by \_\_\_\_\_;

25 That the amount of time used by each party at  
the deposition is as follows:

ADOLFO RUIZ - 2 hours, 3 minutes  
HECTOR SAENZ - Zero hours, 32 minutes  
AUSTIN REYNA - Zero hours, Zero minutes

That pursuant to information given to the  
deposition officer at the time said testimony was taken,  
the following includes counsel for all parties of  
record:



1 AUSTIN REYNA - ATTORNEY FOR PLAINTIFF(S)  
2 ADOLFO RUIZ - ATTORNEY FOR DEFENDANT(S)  
3 HECTOR SAENZ - ATTORNEY FOR DEFENDANT(S)

4 I further certify that I am neither counsel  
5 for, related to, nor employed by any of the parties in  
6 the action in which this proceeding was taken, and  
7 further that I am not financially or otherwise  
8 interested in the outcome of the action.

9 Further certification requirements pursuant to  
10 Rule 203 of TRCP will be certified to after they have  
11 occurred.

12 Certified to by me this 25th day of January,  
13 2022.

14 

15 Teresa Smith, CSR No. 11814  
16 Expiration Date: 11/5/2022  
17 Magna Legal Services  
18 Firm Registration No. 633  
19 16414 San Pedro, Suite 900  
20 San Antonio, Texas 78232  
21 Phone: (866) 672-7800  
22  
23  
24  
25

Brian Howd

January 12, 2022

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF TEXAS  
3 SAN ANTONIO DIVISION  
4

5 RUSSELL ZINTER; et al, )  
6 )  
7 Plaintiffs, )  
8 Vs. ) CIVIL NO.  
9 ) SA-18-CA-680-JKP-RBF  
10 CHIEF JOSEPH SALVAGGIO, )  
11 et al, )  
12 Defendants. )

13 ORAL AND VIDEOTAPED DEPOSITION OF  
14 BRIAN HOWD

15 JANUARY 12, 2022  
(Reported Remotely)

16 ORAL AND VIDEOTAPED DEPOSITION OF BRIAN HOWD,  
17 produced as a witness at the instance of the Plaintiffs  
18 and duly sworn, was taken in the above-styled and  
19 numbered cause on January 12, 2022, from 1:31 p.m. to  
20 4:43 p.m., before Teresa Smith, RPR, Texas CSR Number  
21 11814, California CSR Number 13473, in and for the State  
22 of Texas, reported by computerized stenotype machine,  
23 pursuant to the Texas Rules of Civil Procedure and the  
24 provisions stated on the record herein.  
25

Exhibit  
O

A P P E A R A N C E S

FOR THE PLAINTIFFS:

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(City of Leon Valley)

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FOR THE DEFENDANT:  
(Leon Valley Police Officers)

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111 Soledad, Suite 840  
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(210) 271-7877  
csf@frigeriolawfirm.com

ALSO PRESENT:

KTA Video Host

Jonathan Green

Jason Green

Juan Gonzales, Jr.

Kevin Egan

1 ALSO PRESENT (continued):

2

3 Mark Brown

4 Russell Zinter

5 James Miller

6 Greg Gardiner

7 David Bailey

8 Joelle Thomas

9 Luis Vailente

10 Marlena Guajardo

11 Carolyn Stritzke

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(No exhibits were proffered or marked.)

--oOo--

1 Q. Okay. Later on did you learn that someone  
2 made comments on a YouTube channel with regard to  
3 threats to Chief Salvaggio?

4 A. Did I learn about it, or did I hear chains of  
5 people saying it -- it possibly happened?

6 Q. Whatever. However. You know, did you -- did  
7 you learn of it through any type of media, either  
8 someone telling you or...

9 A. I'm not going to say I never learned about it  
10 because, you know, it's not something I studied or even  
11 saw or looked at. I heard innuendo of accusations of  
12 it, but I never saw it. I have no idea what it was,  
13 what was said.

14 Q. Okay.

15 (Reporter clarification.)

16 THE REPORTER: The time is 2:54 p.m. We're  
17 going off the record.

18 (A recess transpired.)

19 THE REPORTER: The time is 3:11 p.m. We're  
20 going back on the record.

21 BY MR. RUIZ:

22 Q. Mr. Howd, we returned from a short break. I'm  
23 going to change the topic on -- on the day of June 23rd,  
24 2018, and I'd like to -- for you to tell me what  
25 happened. I -- I could go, I guess, question to



1 was this just something that somebody captured on video?

2 A. I'm not sure who it was.

3 Q. Okay. Did you actually see her? Did you hear  
4 someone -- or did someone tell you that happened?

5 A. I heard her voice say it.

6 Q. Okay. And just the audio; is that correct?

7 A. Yes.

8 Q. Okay. Do you know if that was from a city  
9 council meeting or a direct interview?

10 A. No idea where it was from.

11 Q. Okay. And did you hear it on -- on the TV or  
12 from the -- from your computer?

13 A. YouTube.

14 Q. Okay. Oh, so you had the audio but not the  
15 actual video?

16 A. Correct.

17 Q. Okay. And who -- what -- whose YouTube  
18 channel did you hear that from?

19 A. I'm not sure.

20 Q. Okay. Okay. So do you believe that there was  
21 a city policy that -- that -- that Chief Salvaggio or  
22 any of the other police officers were following that --  
23 to, I guess, arrest individuals who were exercising  
24 their First Amendment right?

25 A. I have no idea what Chief Salvaggio and his

1 crew were following or thinking.

2 Q. Do you believe that they were acting under  
3 the, I guess a policy of the City?

4 A. Well, I would hope that the City does not have  
5 a policy that -- that states you can illegally arrest  
6 people for doing constitutionally-protected activity.

7 Q. Would you think that the City would have a  
8 formal policy to arrest individuals for exercising their  
9 First Amendment right?

10 MR. REYNA: Objection. Form. You can answer.

11 THE WITNESS: I have no idea what policies  
12 they have and don't have.

13 BY MR. RUIZ:

14 Q. Now, after the -- after June 23rd, 2018, you  
15 indicated that you went -- went back to the city of Leon  
16 Valley, I guess a few days later; is that -- is that  
17 right? Did I hear that correctly?

18 A. Yes.

19 Q. Okay. And I guess, how long did you stay when  
20 you went back to -- to the city?

21 A. It wasn't long. Maybe an hour. Maybe two,  
22 tops.

23 Q. Okay. In the other depositions, there was  
24 another, I guess, gathering or rally at one of the  
25 city's facilities, either the civic center or some place

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF TEXAS  
3 SAN ANTONIO DIVISION

4 RUSSELL ZINTER; et al, )  
5 )  
6 Plaintiffs, )  
7 )  
8 Vs. ) CIVIL NO.  
9 ) SA-18-CA-680-JKP-RBF  
10 )  
11 CHIEF JOSEPH SALVAGGIO, )  
12 et al, )  
13 )  
14 Defendants. )

11 REPORTER'S CERTIFICATION  
12 DEPOSITION OF BRIAN HOWD  
13 TAKEN January 12, 2022

14 I, Teresa Smith, Certified Shorthand Reporter  
15 in and for the State of Texas, hereby certify to the  
16 following:

17 That the witness, BRIAN HOWD, was duly sworn  
18 by the officer and that the transcript of the oral  
19 deposition is a true record of the testimony given by  
20 the witness to the best of my ability;

21 That the deposition transcript was submitted  
22 on \_\_\_\_\_, to the witness or to the attorney  
23 for the witness for examination, signature and return to  
24 KIM TINDALL & ASSOCIATES, by \_\_\_\_\_;

25 That the amount of time used by each party at  
the deposition is as follows:

Adolfo Ruiz - 2 hour, 28 minutes  
Hector Saenz - Zero minutes, 19 minutes  
Austin Reyna - Zero hour, Zero minutes


1 That pursuant to information given to the  
2 deposition officer at the time said testimony was taken,  
3 the following includes counsel for all parties of  
4 record:

5 AUSTIN REYNA - ATTORNEY FOR PLAINTIFF(S)  
6 ADOLFO RUIZ - ATTORNEY FOR DEFENDANT(S)  
7 HECTOR SAENZ - ATTORNEY FOR DEFENDANT(S)

8 I further certify that I am neither counsel  
9 for, related to, nor employed by any of the parties in  
10 the action in which this proceeding was taken, and  
11 further that I am not financially or otherwise  
12 interested in the outcome of the action.

13 Further certification requirements pursuant to  
14 Rule 203 of TRCP will be certified to after they have  
15 occurred.

16 Certified to by me this 27th day of January,  
17 2022.

18 

19 Teresa Smith, CSR No. 11814  
20 Expiration Date: 11/5/2022  
21 Magna Legal Services  
22 Firm Registration No. 633  
23 16414 San Pedro, Suite 900  
24 San Antonio, Texas 78232  
25 Phone: (866) 672-7800

Joseph Salvaggio

December 13, 2021

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER; JACK )  
MILLER; BRIAN HOWD; )  
JAMES A. MEAD; JOSEPH )  
BRANDON PIERCE; MARK )  
BROWN; DAVID BAILEY; )  
JUAN GONZALES, JR.; )  
KEVIN EGAN; JONATHAN )  
GREEN; JAMES SPRINGER, )  
Plaintiffs, )  
VS. ) CIVIL ACTION  
NO. 5:18-CV-0680-FB  
CHIEF JOSEPH SALVAGGIO; )  
LIEUTENANT DAVID )  
ANDERSON; DEPUTY JANE )  
DOE GOLDMAN; OFFICER )  
JOHNNY VASQUEZ; CPL. )  
CHAD MANDRY; SERGEANT )  
JOHN DOW; OFFICER )  
JIMMIE WELLS; CPL. )  
LOUIS FARIAS, BADGE )  
534; OFFICER BRANDON )  
EVENS, BADGE 556; )  
OFFICER UZIEL )  
HERNANDEZ; JOHN DOE )  
TASER 2; JOHN DOE TASER )  
2; and THE CITY OF LEON )  
VALLEY, a POLITICAL )  
SUBDIVISION of the )  
STATE OF TEXAS, )  
Defendants.

ORAL AND VIDEOTAPED DEPOSITION OF

CHIEF JOSEPH SALVAGGIO

DECEMBER 13, 2021

[REPORTED REMOTELY BY VIDEOCONFERENCE]

Exhibit  
P

1 ORAL AND VIDEOTAPED DEPOSITION of the witness,  
2 CHIEF JOSEPH SALVAGGIO, taken at the instance of the  
3 Plaintiffs, in the above entitled cause, before CATHEY  
4 RIMMER, Certified Shorthand Reporter in and for Bexar  
5 County, Texas, on December 13, 2021, the Witness being  
6 located at the offices of Leon Valley Police Department,  
7 Leon Valley, Bexar County, Texas, between the hours of  
8 10:20 o'clock a.m. and 6:42 o'clock p.m., pursuant to  
9 the Federal Rules of Civil Procedure and the provisions  
10 stated on the record or attached hereto.

11  
12 \* \_ \* \_ \* \_ \* \_ \* \_ \*  
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A P P E A R A N C E S

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Mr. Austin M. Reyna  
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(210) 934-4764

APPEARING REMOTELY FOR DEFENDANT OFFICERS:

LAW OFFICES OF CHARLES S. FRIGERIO, P.C.  
Mr. Charles S. Frigerio  
Mr. Hector X. Saenz  
111 Soledad, Suite 465  
San Antonio, Texas 78205  
(210) 271-7877

APPEARING REMOTELY FOR DEFENDANT, CITY OF LEON VALLEY,  
TEXAS:

DENTON, NAVARRO, ROCHA, BERNAL & ZECH  
Mr. Adolfo Ruiz  
2517 North Main Avenue  
San Antonio, Texas 78212  
(210) 227-3243

ALSO APPEARING REMOTELY:

CHIEF JOSEPH SALVAGGIO  
The Witness

CHAD JACKSON,  
Prevail Session Manager

CATHEY RIMMER  
Certified Shorthand Reporter  
in and for the State of Texas

\*-\*-\*-\*-\*-\*-\*

## I N D E X

## TESTIMONY

PAGE

Examination by Mr. Grable.....

## DEPOSITION EXHIBITS

NO. DESCRIPTION

IDENTIFIED

1 Standing Orders Governing Court Decorum,  
2 Leon Valley Municipal Court,  
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4 Memo, Salvaggio to Munoz, 7/10/18,  
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11 Email, Salvaggio to FBI, 6/17/18,  
12 Deft COLV 2482-2483..... 188

13 Email, Munoz to Gonzales, 4/9/19,  
14 Deft COLV 10116-10129..... 238

\* \_ \* \_ \* \_ \* \_ \* \_ \*

1 keyboard warriors. They stand behind all these media  
2 ways to hide themselves.

3 Q. Okay. So you understand that people are  
4 innocent until proven guilty, correct?

5 A. Oh, absolutely.

6 Q. Okay. So I'm going to ask you what evidence do  
7 you have that any of the plaintiffs called Leon Valley  
8 to make any kind of threats?

9 A. I personally did not go over the evidence. I  
10 personally did not go over the call logs. So I can't  
11 answer that.

12 Q. Okay. So you'd agree with me then as we sit  
13 here today you are not aware of any evidence that links  
14 any of the plaintiffs to any of the threatening calls  
15 made to Leon Valley in May of 2018?

16 MR. FRIGERIO: Objection; form. Go ahead  
17 and answer if you can, Chief, but I'm objecting for the  
18 record.

19 THE WITNESS: I'm just saying at this point  
20 I never looked at them. I don't -- I don't have -- most  
21 of this evidence in most of these arrests I wasn't  
22 present at and I did not get involved with.

23 Q. (BY MR. GRABLE) Okay. So you had all of  
24 their phones at one point, correct?

25 A. I didn't have their phones at all.

1 Q. So did you order that the phones be seized?

2 A. No, we ordered that we were going to look at  
3 their phones if they were a witness to a crime, as we  
4 were advised to do by the district attorney's office.

5 Q. Okay. And we'll get to that. But I just want  
6 to make clear that you had or Leon Valley had in their  
7 possession at one point plaintiffs' phones, correct?

8 A. We had phones from arrestees, suspects and  
9 witnesses, correct.

10 Q. Okay. And these phones, there was a  
11 forensic -- I guess, some kind of forensic work done on  
12 these phones, correct?

13 A. We went to court and got a court order to be  
14 able to download the phones. Some of the phones we  
15 could not download. Well, let me go back and say we  
16 turned those over to, I believe, the Secret Service and  
17 SAPD, and they're the ones that attempted to download  
18 the phones, weren't successful on many of them to get  
19 them downloaded, and so I don't know which ones were  
20 successful and which ones weren't.

21 Q. Okay. And just for the record -- well, let  
22 me -- if you could have linked an individual with making  
23 threatening calls via phone to Leon Valley, could you  
24 have charged that individual with a crime?

25 A. We can charge a lot of people with a lot of

1           A. May/June time frame, before all the big  
2 arrests. Because if you look again, you look at -- even  
3 when Jack Miller got arrested there were several people  
4 in there, and we didn't seize any of their cameras or  
5 capture any of the original evidence. It was just lost.  
6 Same thing when Padilla came in. When several of them  
7 came in with Padilla we didn't do any of that. It  
8 wasn't until later on after meetings with the DA's  
9 office that they saw that we were losing that original  
10 evidence, and they brought it up as to whether or not we  
11 should go ahead and seize it. Until then we hadn't  
12 seized any phones. So we were following the attorney's  
13 advice and the DA's advice on that one.

14           Q. Okay. Has it been your experience that you can  
15 rely on the advice of the district attorney -- rely on  
16 the advice of a district attorney to avoid going to get  
17 a warrant?

18           A. Again, oversimplification. But if the DA's  
19 office tells us this is what we need to do to capture  
20 evidence of a crime, then we would definitely follow  
21 that because that's the process that they want to us do.

22           Q. Okay. So your discussion with the district  
23 attorney -- well, let me ask. On June 23rd, 2018, for  
24 example, you didn't actually have a discussion with the  
25 district attorney's office on that date about arresting



1 people and seizing their phones; is that correct?

2 A. Sir, for the third time, yes, I did, and it's  
3 right in that report. It tells you that before I made  
4 one arrest I was on the phone with the DA's office. I  
5 was talking to intake. I was talking to the number two  
6 person in their agency and the lawyers, the prosecutors,  
7 that had been assigned to this case, these cases, not  
8 just mine. Across Bexar County all these cases were  
9 going to one group of prosecutors. And so, yes, before  
10 we made one arrest on the 23rd I had the conversation  
11 with them, and that's been detailed in all of my reports  
12 from day one.

13 Q. All right. Let's jump to that real quick.  
14 June 23rd. You pick up the phone and you talk to the  
15 DA's office and you tell them what?

16 A. I explained to them that we had already had the  
17 discussion about the threats and the retaliation that  
18 was going on to my family and I and had been going on  
19 all week there on several of your plaintiffs and several  
20 members of the group.

21 Q. Wait a second. Hold on before you keep going  
22 on. What several members of the plaintiffs, for the  
23 record?

24 A. From videos that Springer. The videos that  
25 Jack Miller was posting. My address was on numerous of

1 individuals such as Zinter, Meed, Gonzales, Padilla,  
2 because those devices may, for example, have evidence of  
3 a crime?

4 A. If they were -- if they were witness to a  
5 crime, the information that we had received from the  
6 district attorney's office, which I've testified to  
7 multiple times, is that they were told to seize the  
8 cameras. Bailey's camera was seized but it was seized  
9 as part of his arrest that day. Springer's was seized  
10 as part of his arrest that day. So it just depends  
11 individually what was going on as to whether or not  
12 cameras were seized or whether or not somebody was  
13 arrested, and it changes why they were seized based on  
14 an arrest, charged incident to arrest, or whether or not  
15 they were seized as evidence of a crime. It just  
16 depends.

17 Q. Okay. So you received information from the  
18 prosecutor's office that if somebody was a witness to a  
19 crime, you could take their recording devices, correct?

20 A. You can seize it, and then you have to get a  
21 search warrant. And I'd ask you to actually look at  
22 International Association of Chiefs of Police Law  
23 Enforcement Policing Center on recording police  
24 activities. Their model policy that all of us in the  
25 United States at C2C, it even details in there what --

1 the same thing that we did and the same thing that the  
2 district attorney's office said we should do. So it is  
3 a common practice, and it's not only ours.

4 Q. So you don't know -- okay. So you know there  
5 were devices seized on June 18, 2018, correct?

6 A. Correct, sir.

7 Q. Okay. How many people were arrested on  
8 June 18, 2018?

9 A. Please pop up the report, and I'll definitely  
10 testify based on that report how many people were  
11 arrested. You have that.

12 Q. Okay. But you know that there were -- that  
13 there were individuals who were just filming, right,  
14 that had their items seized but they weren't arrested,  
15 correct?

16 A. I have no clue, partner. Without it sitting in  
17 front of me I couldn't tell you. I don't know if  
18 everybody got arrested. That was in a very small  
19 confined space. I do remember one person out front that  
20 was still filming the arrests and all that. I don't  
21 remember if they took his camera or they arrested him.  
22 I remember he was backing up into the street. But I  
23 don't believe the other people that were in the area  
24 that were protesting, I don't think they were even  
25 talked to or anything. So there was a lot of people

1 passageway. You understand that, correct?

2 A. Yes, sir.

3 Q. Okay. Are you aware of any instruction that  
4 would have come from you or your command team to seize  
5 any recording devices that people had that were filming  
6 that incident?

7 A. If they were filming a criminal incident, which  
8 that one was, yes, they should have asked first to give  
9 up their devices, and then if they don't they'll try to  
10 take the devices, and if they resist they would be  
11 arrested for interfering and resisting --

12 Q. Okay. So --

13 A. -- as instructed by the district attorney's  
14 office.

15 Q. Okay. But not -- so the district attorney just  
16 told you generally, right? Because -- let me clarify.  
17 The district attorney did not tell you specifically that  
18 in the Bailey incident on June 18th, 2018, that your  
19 officers could just seize equipment from law-abiding  
20 citizens who were nearby, correct?

21 A. No, I don't know of any law-abiding citizens  
22 that got their stuff taken away. But if they were  
23 filming, whether it be a news reporter or whether it be  
24 part of your group were filming, it didn't matter. If  
25 they filmed a crime, that's original evidence, and, yes,

1           A. No. This is -- this is all basic stuff, search  
2 incident to arrest or being a witness to a crime. These  
3 are all basic things that the officers know.

4           Q. Okay. So if -- all right. So then if an  
5 officer was instructed to take recording devices from  
6 individuals who, I guess, witnessed a crime, that  
7 guidance would have been something that you got from the  
8 district attorney's office that you then gave to your  
9 command team? How did it get down to the officer who  
10 was actually requesting the recording devices?

11          A. I'm sure that either myself or my captain or my  
12 lieutenant or my sergeant went to the roll calls and  
13 disseminated the information to make sure how we were  
14 going to handle this group when they came in and did  
15 what we believed they were going to do.

16          Q. Okay. Do you have any written information that  
17 shows that guidance that you would have passed  
18 throughout your police department?

19          A. You and I both have that information. I'm  
20 sorry you haven't looked at it. It's the incident  
21 action plan for those incidents and that protest. It's  
22 written in there in black and white as far as I can  
23 remember. Again, I don't have it in front of me. I  
24 just know that that's what they were being briefed.

25          Q. Okay. Who was in the room with you from the



1 to go through you?

2 A. The DA constantly instructs our officers what  
3 they will and won't take. That happens every night that  
4 we go down there to the DA's office. Absolutely it  
5 does.

6 Q. So do you think that the district attorney  
7 instructed your officers to make any of the arrests of  
8 plaintiffs in this case?

9 A. Oh, absolutely.

10 Q. Who did the district attorney's office instruct  
11 your officers to arrest?

12 A. So before the arrest on the 23rd, anybody that  
13 was arrested we got confirmation from intake and from  
14 the attorneys that, yes, go ahead and make those arrests  
15 for the retaliation and the whole thing about if they  
16 refuse to -- if they had been a witness to anything or  
17 the arrest and the refusal -- I can't think what I was  
18 going to say at this point. I'm getting tired. But  
19 basically, yes, all that was preapproved before we  
20 arrested one person.

21 Q. Okay. So basically it's your testimony that  
22 your officers would not have arrested any of the  
23 plaintiffs unless the -- unless the district attorney's  
24 office instructed them to do so?

25 A. So we -- all week we had been getting death

1 threats, and we were seeing those on James Springer and  
2 Bao's and several others, multiple that were being  
3 watched. Those death thoughts and my address was being  
4 put out. On the 23rd before everybody packed up and  
5 left the discussion was we don't know who most of these  
6 people are, we have no way of knowing if they're the  
7 ones sending in the death threats, you know, are they  
8 suspects, are they witnesses? We're not going to be  
9 able to get the evidence of the crime if they leave. We  
10 can't get a search warrant because we don't know who  
11 most of them are. All of them are from out of town.  
12 None of them lived in Leon Valley. And so when we had  
13 those discussions with the DA's office and intake, they  
14 agreed to go ahead and make those arrests.

15 Q. Okay. So it wasn't the officers' own  
16 observations then that they thought a crime was being  
17 committed. They were just following the instruction of  
18 the district attorney's office?

19 A. No, we were giving them the facts of the case,  
20 asking them is it something that meets the criteria that  
21 we had already discussed over multiple occasions and  
22 whether or not we should follow them at large, like we  
23 did the vast majority, or should we go ahead and arrest  
24 them at that time, and we were instructed to go ahead  
25 and arrest them at that time.

1 think we called them all in once we decided -- after  
2 talking to the DA's office that we were going to make  
3 that arrest.

4 Q. Okay. So on page seven of Plaintiff's 2, on  
5 the very bottom, it looks like the last complete  
6 sentence, it says, I contacted a member of the Bexar  
7 County District Attorney's Office with my concern that  
8 the original video evidence on their cameras could be  
9 lost if we allowed them to leave and travel back to  
10 whatever out-of-town location they lived.

11 A. Correct.

12 Q. So did you contact a member of the Bexar County  
13 District Attorney's Office on June 23rd, 2018?

14 A. Yes, sir, just like it says there.

15 Q. Okay. Who did you talk to at the Bexar County  
16 District Attorney's Office on Saturday, June 23rd, 2018?

17 A. I talked to Jay Norton and I talked to intake,  
18 and I don't recall the intake's name but it was whoever  
19 answered the phone that day at the DA's office. But the  
20 main person I was speaking with at that point was Jay  
21 Norton, who was the number two in the district  
22 attorney's office and was assigned to us as part of  
23 their dealings with us on the investigation.

24 Q. Okay. And then on page eight of Plaintiff's 2,  
25 the first complete paragraph says, The assistant

1 district attorney agreed with me that we had more than  
2 enough probable cause to make the arrest and preserve  
3 the video evidence, to include the recording devices of  
4 those present at the time. Do you see that?

5 A. Yes, sir, absolutely.

6 Q. Okay. So this is a little -- this is a little  
7 vague because the whole paragraph essentially talks  
8 about Springer, correct? About the comment made -- what  
9 was it? -- Furry Potato on Springer's video, and then it  
10 talks about how you raised a concern with the Bexar  
11 County District Attorney's Office and they authorized,  
12 it says, the arrest. So tell me what that conversation  
13 was. What were you seeking, I guess, guidance on? Was  
14 it to arrest everybody or was it to make one or two  
15 arrests?

16 A. We -- if you go back up further, you'll see  
17 that we're talking -- most of this is discussion about  
18 Bao Nguyen and about James Springer. We had no intent  
19 of arresting anybody else. In fact, we hoped that we  
20 wouldn't have to arrest anybody else, and so our intent  
21 was only the arrest of those two individuals. We wanted  
22 to identify the Greens because we had gotten complaints  
23 of -- and had seen videos of -- Mr. Jackson, I'm sorry  
24 we're boring you -- videos of them blocking passageways  
25 to keep our people from leaving the employee parking

1 enough eyes on the cases, so that we weren't making a  
2 mistake and so that as many people could look at it  
3 before the -- [unintelligible]. That was our goal and  
4 that's what we did, and that's why the vast majority of  
5 the charges were filed after the last arrest made on the  
6 23rd.

7 Q. Okay. So you had time to talk to the district  
8 attorney or someone from that office on June 23rd, 2018,  
9 correct?

10 A. Correct.

11 Q. And then you even emailed the media too on  
12 June 23rd, 2018, telling them not to run with the story,  
13 correct?

14 A. I mailed on the 23rd?

15 Q. Yes.

16 A. Okay.

17 Q. You don't recall that?

18 A. No, I don't, but if you pop it up on the screen  
19 on the 23rd, I'll be more than happy to say yea or nay.

20 Q. If you don't recall it, that's fine.

21 A. I'm not saying I didn't do it. I'm just saying  
22 I don't recall it.

23 Q. Right. Then it says, About 1600 hours, which  
24 is 4:00 p.m., you walked out of the building, approached  
25 a member of the group and advised her you would be



1 making a statement at the front doors in approximately  
2 20 minutes, correct?

3 A. Correct.

4 Q. And you gave this time period so you could  
5 gather up enough officers, right?

6 A. Correct.

7 Q. And so this was because -- was this because you  
8 anticipated that you were going to have to arrest or  
9 detain a large number of people?

10 A. We didn't know what we were going to have. We  
11 just knew that we were going to arrest at least two  
12 people, and I'm hoping that was it. But, unfortunately,  
13 your group didn't see fit to that. So -- but I had no  
14 officers, zero, on duty available to deal with this. So  
15 we had to call officers in from out of town even if we  
16 arrested two. I mean, we didn't have the resources, and  
17 that's why they hit us. That's why they hit the small  
18 cities, because they know they can overwhelm them, they  
19 know that they can shut down their organization.

20 Q. I want to get through this. So on June 23rd,  
21 2018, how many officers were you able to get together?

22 A. Oh, I don't recall. I'm sorry. I don't know.

23 Q. How long did it take you to get your officers  
24 together?

25 A. Probably 20 or 30 minutes for the majority of

1 right?

2 A. I was made aware of it, yes.

3 Q. And as a result you make the decision that you  
4 want to go and have everyone arrested and you want all  
5 their devices and you want to figure out who's making  
6 those comments, correct?

7 A. Not correct. I didn't do anything. I made a  
8 phone call and from that phone call got counseling from  
9 lawyers that are supposed to do this for a living and  
10 was given guidance at that time. It wasn't a rash  
11 decision. It was very calculated and had been for the  
12 entire week.

13 Q. Okay. And so you told everyone that was there  
14 that you were going to make a press conference on  
15 June 23rd, 2018?

16 A. Not correct.

17 Q. Well, you told somebody, right? You told  
18 somebody you were --

19 A. I told one person. One.

20 Q. Because you wanted people to stick around?

21 A. I wanted James Springer and Bao to stick  
22 around.

23 Q. Okay. Got it. Understood. Because that's  
24 where the comments were directed at you, correct, on  
25 their videos, on Springer and Bao's videos, right?

1 A. Correct.

2 Q. Okay. So --

3 A. It wasn't just the comments. It's the video,  
4 the original evidence with the videos.

5 Q. And original evidence. You mean the video  
6 itself? What do you mean original evidence?

7 A. Yeah, the video itself. They can choose to not  
8 post it or post it. A lot of things -- like Jack  
9 Miller, he won't post his stuff right away. He goes  
10 back and edits it and does all the sensational stuff to  
11 make the police officer or whoever look silly. These  
12 original things, evidence, we have no way of having  
13 unless we get the evidence on the spot, because once  
14 they leave there they have the opportunity for the  
15 evidence to be thrown away, whatever you call it. I  
16 don't say cancelled. But basically they can destroy the  
17 evidence once they left there.

18 Q. Do you understand what a live stream is?

19 A. I don't completely understand it. But the live  
20 stream, you have to hit a button when it's over to  
21 upload that live stream. It does not upload by itself.  
22 It's a process that works. That's my understanding.  
23 I've never myself uploaded anything to YouTube.

24 Q. Okay. So your frustration or your -- you  
25 talked about being scared. That was about the comments

1 or the threats made on Bao's and Springer's video. I  
2 understand that. What I'm trying to understand --

3 A. It wasn't only theirs. It was -- we were  
4 getting information from all different places,  
5 different -- as you show? What's his name? Bay Sock.  
6 I don't think his was just those two either. Yeah, it  
7 wasn't just Bao and Springer.

8 Q. I get that. So I want to put that like off to  
9 the side. Okay? Now -- now I'm trying to understand.  
10 Help me understand in more detail. The devices taken --  
11 the recording devices taken from everyone that was out  
12 at Leon Valley, right? Essentially it was give me your  
13 device or you risk being arrested. I'm trying to  
14 understand why was that the directive if the goal was to  
15 find out who was posting threats on Bao and Springer's  
16 videos?

17 A. And again, it wasn't only about Bao and  
18 Springer. It was about Joseph Pierce. It was about  
19 David Bailey. It was about different things that were  
20 going on at that time, suspects, where they were  
21 suspects of criminal activity. It was original evidence  
22 in the fact that the death threats -- we don't know  
23 where they're coming from. We need to identify the  
24 people that are making it. People can sign -- were  
25 signing on from fake accounts or whatever. They have

1 the ability. And so based on all of that and that  
2 discussion with the district attorney's office, they  
3 agreed that we needed to seize the phones, get a search  
4 warrant if we -- just because we seize the phone doesn't  
5 mean we're going to see anything that's in there. Now  
6 we have to go get a search warrant signed by a judge,  
7 and that's exactly what we did. In fact, we went to  
8 court multiple times where y'all tried to suppress those  
9 things, whether it be a search warrant or a grand jury  
10 subpoena, and the judges agreed that we had enough  
11 probable cause to seize those phones. I don't know what  
12 else to tell you.

13 Q. That wasn't necessarily what the judge's ruling  
14 was, but that's fine.

15 A. We got to seize the -- we got to access the  
16 stuff, right? You didn't stop us from accessing the  
17 stuff. The judges agreed.

18 Q. Okay. So your office was able to access all of  
19 the devices, correct?

20 A. After they -- after they obtained either search  
21 warrants or the DA's office got grand jury subpoenas.

22 Q. Okay. And after all of that -- I just want to  
23 make clear. After all of that, the DA refused any  
24 charges, for example, of engaging in organized crime?

25 A. No, the DA's office took those originally. A



IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER; ET AL,                     )  
Plaintiffs,                                     )  
VS.   ) CIVIL ACTION  
CHIEF JOSEPH SALVAGGIO;                     ) NO. 5:18-CV-0680-FB  
ET AL,   )  
Defendants.                                     )

CERTIFICATE TO THE ORAL DEPOSITION OF  
CHIEF JOSEPH SALVAGGIO  
DECEMBER 13, 2021

I, CATHEY RIMMER, Certified Shorthand Reporter in  
and for the State of Texas, do hereby certify to the  
following:

That the Witness, CHIEF JOSEPH SALVAGGIO, was duly  
sworn by the officer and that the transcript of the oral  
deposition is a true record of the testimony given by  
the Witness.

I further certify that pursuant to FRCP Rule  
30(e)(1) that the signature of the Deponent was not  
requested by the Deponent or a party before the  
completion of the deposition.

I further certify that the amount of time used by  
each party at the deposition is as follows:

1 Mr. Brandon J. Grable - 6 hours, 30 minutes

2 I further certify that I am neither attorney, nor  
3 counsel for, nor related to, nor employed by any of the  
4 parties to the action in which this testimony is taken,  
5 and further that I am not a relative or employee of any  
6 attorney of record in this cause, nor do I have a  
7 financial interest in the action.

8 SUBSCRIBED AND SWORN TO on this the 10th day of  
9 January, 2022.

10 

11  
12 CATHEY RIMMER, Texas CSR 519  
13 Expiration Date: 04/30/2023  
14 Magna Legal Services  
15 Firm Registration No. 633  
16 16414 San Pedro Ave., Ste. 900  
17 San Antonio, TX 78232  
18  
19  
20  
21  
22  
23  
24  
25

# Incident Report

LEON VALLEY POLICE DEPARTMENT

Incident #201804036

## Administrative:

Date Reported: 6/23/2018 CFS#:  
 Location Address: **6400 EL VERDE RD**  
 City: LEON VALLEY State: TX Zip: 78238 District: 3 Beat: Grid:  
 Location: **LEON VALLEY POLICE DEPARTMENT**  
 Occurrence From: 06/23/2018 @ 17:30 To: 06/23/2018 @ 17:30 Day of Week: SAT  
 Status Date: 6/23/2018 Status: **CLEARED BY ADULT ARREST**  
 Type: 48 Description: OTHER OFFENSE / INCIDENT

Reportee: **MANDRY #540, CHAD** Address: 6400 EL VERDE RD  
 Race: Sex: LEON VALLEY, TX 78238  
 DOB: Offense Age: Home Phone: Work Phone: 2106843215  
 Current Age: Mobile Phone:

Source of Call:	Time Received:	Time Dispatched:	Time Arrived:	Time Cleared:
Reporting Officer 1 ID: 1116	Name: MANDRY #540, CHAD			
Reporting Officer 2 ID:	Name:			
Investigating Officer ID: 1267	Name: MUNOZ, RUDY			

## Offense:

Offense: **RESIST ARREST SEARCH OR TRANSPORT**

Statute: 38.03(a) Code: PC Penalty: MA

### Offense M.O.

Type of Location: GOVERNMENT/PUBLIC BUILDINGS Forced: No  
 Point of Entry: Offender Used: Not Applicable  
 Method of Entry: Bias Motivation: ANTI-NONE  
 Family Violence: No Weapons Involved: NONE  
 Offense Note:

## Victim:

Victim Type: SOCIETY/PUBLIC Business: **STATE OF TEXAS**  
 Address:  
 Phone:

NONE - - -

Victim Note:

## Offender:

Relationship of Victim to Offender: STRANGER Address: 5097 HOLLY AVE

08/30/2018 09:53

6400 EL VERDE RD LEON VALLEY, TX 78238

Page 1 of 39

DEFT COLV 00147

Exhibit  
Q

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Name: **HOWD, BRIAN**

NORTON, OH 44203

Race: W

Sex: M

Home Phone: (330)573-4044

Work Phone:

DOB: 2/12/1971

Offense Age: **57**

Mobile Phone:

Juvenile: N

Current Age: 47

SSN:

Hgt: 6'02"

Wgt: 175

Skin Tone:

Face Hair:

LID:

Hair: BRN

Eyes:

Resident:

Citizen:

DL#: RS963733

DL State: OH

DL Type:

License Number:

Year:

Make:

License State:

Color:

Model:

License Year:

VIN:

Style:

Offender Note:

**Offense:**Offense: **INTERFERENCE W/PUBLIC DUTIES**

Statute: 38.15(a)

Code: PC

Penalty: MB

**Offense M.O.**

Type of Location: GOVERNMENT/PUBLIC BUILDINGS

Forced: No

Point of Entry:

Offender Used: Not Applicable

Method of Entry:

Bias Motivation: ANTI-NONE

Family Violence: No

Weapons Involved:

Offense Note:

**Victim:**

Victim Type: SOCIETY/PUBLIC

Business: **STATE OF TEXAS**

Address:

Phone:

Victim Note:

**Offender:**

Relationship of Victim to Offender:

Address: 5097 HOLLY AVE

Name: **HOWD, BRIAN**

NORTON, OH 44203

Race: W

Sex: M

Home Phone: (330)573-4044

Work Phone:

DOB: 2/12/1971

Offense Age: **57**

Mobile Phone:

Juvenile: N

Current Age: 47

SSN:

Hgt: 6'02"

Wgt: 175

Skin Tone:

Face Hair:

LID:

Hair: BRN

Eyes:

Resident:

Citizen:

DL#: RS963733

DL State: OH

DL Type:

License Number:

Year:

Make:

License State:

Color:

Model:

License Year:

VIN:

Style:

Offender Note:

**Offense:**

08/30/2018 09:53

6400 EL VERDE RD LEON VALLEY, TX 78238

Page 2 of 39

DEFT COLV 00148

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Offense: **OBSTRUCTION RETALIATION BY THREAT**

Statute: 36.06

Code: PC

Penalty: F3

**Offense M.O.**

Type of Location: PARKING/DROP LOT/GARAGE

Forced: No

Point of Entry:

Offender Used: Computer Equip.

Method of Entry:

Bias Motivation: ANTI-NONE

Family Violence: No

Weapons Involved:

Offense Note:

**Victim:**

Victim Type: LAW ENFORCEMENT OFFICER

Business:

Name: **SALVAGGIO #500,**

Address: 6400 EL VERDE RD

Race: W

Sex: M

LEON VALLEY, TX 78238

DOB:

Offense Age:

Home Phone:

Work Phone: 2106843215

Current Age:

Mobile Phone:

Injuries:

Victim Note:

**Offender:**

Relationship of Victim to Offender: STRANGER

Address: 644 KERY ST

Name: **NGYUEN, BAO-QUOC TRAC**

CROWLEY, TX 76036

Race: A

Sex: M

Home Phone:

Work Phone:

DOB: 12/1/1982

Offense Age: 35

Mobile Phone:

Juvenile: N

Current Age: 35

SSN:

Hgt:

Wgt:

Skin Tone: LBR

Face Hair:

LID:

Hair: BLK

Eyes: BRO

Resident:

Citizen:

DL#:

DL State:

DL Type:

License Number:

Year:

Make:

License State:

Color:

Model:

License Year:

VIN:

Style:

Offender Note:

**Offense:**Offense: **OBSTRUCTION RETALIATION BY THREAT**

Statute: 36.06

Code: PC

Penalty: F3

**Offense M.O.**

Type of Location: GOVERNMENT/PUBLIC BUILDINGS

Forced: No

Point of Entry:

Offender Used: Not Applicable

Method of Entry:

Bias Motivation: ANTI-NONE

Family Violence: No

Weapons Involved:

Offense Note:

**Victim:**

Victim Type: LAW ENFORCEMENT OFFICER

Business:

Name: **SALVAGGIO #500,**

Address: 6400 EL VERDE RD

Race: W

Sex: M

LEON VALLEY, TX 78238



## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

DOB:                      Offense Age:                      Home Phone:                      Work Phone: 2106843215  
                                  Current Age:                      Mobile Phone:  
 Injuries:  
 Victim Note:

**Offender:**

Relationship of Victim to Offender: STRANGER                      Address: 3006 CHIESA  
 Name: **SPRINGER, JAMES ALAN JR**                      ROWLETT, TX 75088  
 Race: W                      Sex: M                      Home Phone: (469)230-5583                      Work Phone:  
 DOB: 7/29/1984                      Offense Age: 33                      Mobile Phone:  
 Juvenile: N                      Current Age: 34

---

SSN:                      Hgt: 6'00"                      Wgt: 160                      Skin Tone:                      Face Hair: BRD  
 LID:                      Hair: BRN                      Eyes: BLU                      Resident:                      Citizen:  
 DL#: 35706973                      DL State: TX                      DL Type:

---

License Number:                      Year:                      Make:  
 License State:                      Color:                      Model:  
 License Year:                      VIN:                      Style:  
 Offender Note:

**Offense:**

Offense: **INTERFERENCE W/PUBLIC DUTIES**  
 Statute: 38.15(a)                      Code: PC                      Penalty: MB

---

**Offense M.O.**  
 Type of Location: GOVERNMENT/PUBLIC BUILDINGS                      Forced: No  
 Point of Entry:                      Offender Used: Not Applicable  
 Method of Entry:                      Bias Motivation: ANTI-NONE  
 Family Violence: No                      Weapons Involved:  
 Offense Note:

**Victim:**

Victim Type: SOCIETY/PUBLIC                      Business: **STATE OF TEXAS**  
                                  Address: 6400 EL VERDE  
                                  LEON VALLEY, TX 78238  
                                  Phone: ( ) -

Victim Note:

**Offender:**

Relationship of Victim to Offender: STRANGER                      Address: 644 KERRY ST  
 Name: **PIERCE, JOSEPH**                      CROWLEY, TX 76036  
 Race: W                      Sex: M                      Home Phone:                      Work Phone:  
 DOB: 7/19/1976                      Offense Age: 41                      Mobile Phone:  
 Juvenile: N                      Current Age: 42

---

SSN:                      Hgt: 6'00"                      Wgt: 185                      Skin Tone:                      Face Hair:  
 LID:                      Hair: BLK                      Eyes: HAZ                      Resident:                      Citizen:

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

DL#: 43167388 DL State: TX DL Type:

License Number: Year: Make:  
 License State: Color: Model:  
 License Year: VIN: Style:  
 Offender Note:

**Offense:**Offense: **FAILURE TO IDENTIFY**

Statute: 38.02 Code: PC Penalty: MC

**Offense M.O.**

Type of Location: GOVERNMENT/PUBLIC BUILDINGS Forced: No  
 Point of Entry: Offender Used: Not Applicable  
 Method of Entry: Bias Motivation: ANTI-NONE  
 Family Violence: No Weapons Involved:  
 Offense Note:

**Victim:**

Victim Type: SOCIETY/PUBLIC

Business: **STATE OF TEXAS**  
 Address: 6400 EL VERDE  
 LEON VALLEY, TX 78238  
 Phone: ( ) -

Victim Note:

**Offender:**

Relationship of Victim to Offender: STRANGER

Address: 644 KERRY ST  
 CROWLEY, TX 76036

Name: **PIERCE, JOSEPH**

Race: W Sex: M Home Phone: Work Phone:  
 DOB: 7/19/1976 Offense Age: 41 Mobile Phone:  
 Juvenile: N Current Age: 42

SSN: Hgt: 6'00" Wgt: 185 Skin Tone: Face Hair:  
 LID: Hair: BLK Eyes: HAZ Resident: Citizen:  
 DL#: 43167388 DL State: TX DL Type:

License Number: Year: Make:  
 License State: Color: Model:  
 License Year: VIN: Style:  
 Offender Note:

**Offense:**Offense: **INTERFERENCE W/PUBLIC DUTIES**

Statute: 38.15(a) Code: PC Penalty: MB

**Offense M.O.**

Type of Location: GOVERNMENT/PUBLIC BUILDINGS Forced: No  
 Point of Entry: Offender Used: Not Applicable  
 Method of Entry: Bias Motivation: ANTI-NONE

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DEFT COLV 00151

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Family Violence: No

Weapons Involved:

Offense Note:

**Victim:**

Victim Type: SOCIETY/PUBLIC

Business: **STATE OF TEXAS**

Address: 6400 EL VERDE

LEON VALLEY, TX 78238

Phone: ( ) -

Victim Note:

**Offender:**

Relationship of Victim to Offender: STRANGER

Address: 3626 SUMMITT

Name: **GREEN, JASON**

PATASKALA, OH 43062

Race: W

Sex: M

Home Phone: (740)975-4639

Work Phone:

DOB: 2/12/1971

Offense Age: 47

Mobile Phone:

Juvenile: N

Current Age: 47

SSN:

Hgt:

Wgt:

Skin Tone:

Face Hair:

LID:

Hair:

Eyes:

Resident:

Citizen:

DL#: RS963733

DL State: OH

DL Type:

License Number:

Year:

Make:

License State:

Color:

Model:

License Year:

VIN:

Style:

Offender Note:

**Offense:**Offense: **RESIST ARREST SEARCH OR TRANSPORT**

Statute: 38.03(a)

Code: PC

Penalty: MA

**Offense M.O.**

Type of Location: GOVERNMENT/PUBLIC BUILDINGS

Forced: No

Point of Entry:

Offender Used: Not Applicable

Method of Entry:

Bias Motivation: ANTI-NONE

Family Violence: No

Weapons Involved: PERSONAL WEAPONS

Offense Note:

**Victim:**

Victim Type: SOCIETY/PUBLIC

Business: **STATE OF TEXAS**

Address: 6400 EL VERDE

LEON VALLEY, TX 78238

Phone: ( ) -

NONE - - - -

Victim Note:

**Offender:**

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## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Relationship of Victim to Offender: STRANGER

Address: 3626 SUMMITT

Name: **GREEN, JASON**

PATASKALA, OH 43062

Race: W

Sex: M

Home Phone: (740)975-4639

Work Phone:

DOB: 2/12/1971

Offense Age: 47

Mobile Phone:

Juvenile: N

Current Age: 47

SSN:

Hgt:

Wgt:

Skin Tone:

Face Hair:

LID:

Hair:

Eyes:

Resident:

Citizen:

DL#: RS963733

DL State: OH

DL Type:

License Number:

Year:

Make:

License State:

Color:

Model:

License Year:

VIN:

Style:

Offender Note:

**Offense:**Offense: **FAILURE TO IDENTIFY**

Statute: 38.02

Code: PC

Penalty: MC

**Offense M.O.**

Type of Location: GOVERNMENT/PUBLIC BUILDINGS

Forced: No

Point of Entry:

Offender Used: Not Applicable

Method of Entry:

Bias Motivation: ANTI-NONE

Family Violence: No

Weapons Involved:

Offense Note:

**Victim:**

Victim Type: SOCIETY/PUBLIC

Business: **STATE OF TEXAS**

Address: 6400 EL VERDE

LEON VALLEY, TX 78238

Phone: ( ) -

Victim Note:

**Offender:**

Relationship of Victim to Offender: STRANGER

Address: 3626 SUMMITT

Name: **GREEN, JASON**

PATASKALA, OH 43062

Race: W

Sex: M

Home Phone: (740)975-4639

Work Phone:

DOB: 2/12/1971

Offense Age: 47

Mobile Phone:

Juvenile: N

Current Age: 47

SSN:

Hgt:

Wgt:

Skin Tone:

Face Hair:

LID:

Hair:

Eyes:

Resident:

Citizen:

DL#: RS963733

DL State: OH

DL Type:

License Number:

Year:

Make:

License State:

Color:

Model:

License Year:

VIN:

Style:

Offender Note:

LEON VALLEY POLICE DEPARTMENT

Incident #201804036

**Property:**

Quantity: 1      Type: **EVIDENCE**      Description: **RECORDINGS-AUDIO/VISUAL**

Year:      Make / Brand: CANON CAMCORD      Model: VIXI HFR800  
Color: BLK      VIN / Serial#: 352494011801      Loss Value: \$0.00  
Recovered Date:      Recovered Value: \$0.00      Stored At:  
Owner#:      NIC#:      Tag/Control:  
Recovered From:      Recovered Local: No      Tag/Control:  
Owner: HOWD, BRIAN      Release Date:      Released To:

Property Note:

**Property:**

Quantity: 1      Type: **EVIDENCE**      Description: **OTHER**

Year:      Make / Brand: UK PRO      Model: POLE  
Color: BLK      VIN / Serial#:      Loss Value: \$0.00  
Recovered Date:      Recovered Value: \$0.00      Stored At:  
Owner#:      NIC#:      Tag/Control:  
Recovered From:      Recovered Local: No      Tag/Control:  
Owner: GARDINER, GREGORY      Release Date:      Released To:

Property Note:

Black Camera stick with blue handle

**Property:**

Quantity: 1      Type: **EVIDENCE**      Description: **RECORDINGS-AUDIO/VISUAL**

Year:      Make / Brand: GO PRO      Model: HERO 2  
Color:      VIN / Serial#: H214A1012051811      Loss Value: \$0.00  
Recovered Date:      Recovered Value: \$0.00      Stored At:  
Owner#:      NIC#:      Tag/Control:  
Recovered From:      Recovered Local: No      Tag/Control:  
Owner: GARDINER, GREGORY      Release Date:      Released To:



## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Property Note:

Video camera with Li-ion battery

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>COMPUTER HARDWARE/SOFTWARE</b>
Year:	Make / Brand: SAN DISK	Model: 32G
Color:	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: GARDINER, GREGORY	Release Date:	Released To:

Property Note:

32G memory card

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand: APPLE	Model: IPHONE
Color:	VIN / Serial#: 355799079755356	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: HERRERA, SELENA CAROL	Release Date:	Released To:

Property Note:

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand: APPLE	Model: IPHONE 8
Color:	VIN / Serial#: UNKNOWN	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: RICHARD, THERESA COOK	Release Date:	Released To:

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Property Note:

with Black Monopod

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand: SAMSUNG	Model: GALAXY S8
Color:	VIN / Serial#: UNKNOWN	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: NGYUEN, BAO-QUOC TRAC	Release Date:	Released To:

Property Note:

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: SPIGEN	Model: PHONE CASE
Color:	VIN / Serial#: UNKNOWN	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: NGYUEN, BAO-QUOC TRAC	Release Date:	Released To:

Property Note:

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: ZEADIO	Model: FRAME
Color:	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Owner: NGYUEN, BAO-QUOC TRAC

Release Date:

Released To:

Property Note:

**Property:**

Quantity: 1

Type: **FOUND PROPERTY**Description: **CREDIT/DEBIT CARDS**

Year:

Make / Brand: CAPITAL ONE

Model:

Color:

VIN / Serial#:

Loss Value: \$0.00

Recovered Date:

Recovered Value: \$0.00

Stored At:

Owner#:

NIC#:

Recovered From:

Recovered Local: No

Tag/Control:

Owner:

Release Date:

Released To:

Property Note:

**Property:**

Quantity: 1

Type: **EVIDENCE**Description: **OTHER**

Year:

Make / Brand: MONOPOD

Model:

Color: BLK

VIN / Serial#:

Loss Value: \$0.00

Recovered Date:

Recovered Value: \$0.00

Stored At:

Owner#:

NIC#:

Recovered From:

Recovered Local: No

Tag/Control:

Owner: RICHARD, THERESA COOK

Release Date:

Released To:

Property Note:

**Property:**

Quantity: 1

Type: **FOUND PROPERTY**Description: **OTHER**

Year:

Make / Brand: GOPRO

Model: STICK

Color:

VIN / Serial#:

Loss Value: \$0.00

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner:	Release Date:	Released To:

Property Note:

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand: SMASUNG	Model: GALAXY S8
Color:	VIN / Serial#: 355982080759491	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: GREEN, JONATHAN M	Release Date:	Released To:

Property Note:

cracked screen

**Property:**

Quantity: 1	Type: <b>NONE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand: IPHONE	Model:
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: HERNANDEZ, ALDO ALEZANDRO	Release Date: 6/23/2018	Released To: HERNANDEZ, ALDO ALEZANDRO

Property Note:

With Lime Green case

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
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## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Year:	Make / Brand: MOTOROLA	Model: FLIP PHONE
Color: RED	VIN / Serial#: IMEI 351628052468025	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: MEAD, JAMES	Release Date:	Released To:

Property Note:

**Property:**Quantity: 1      Type: **EVIDENCE**      Description: **RECORDINGS-AUDIO/VISUAL**

Year:	Make / Brand: SAMSUNG	Model:
Color: BLK	VIN / Serial#: RV8K30KCA8P	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: SPRINGER, JAMES ALAN JR	Release Date:	Released To:

Property Note:

Black cell phone

**Property:**Quantity: 1      Type: **UNKNOWN**      Description: **OTHER**

Year:	Make / Brand: JBL	Model: BLUETOOTH SPEAKER
Color:	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: NGUYEN, BAO-QUOC TRAC	Release Date:	Released To:

Property Note:

Cell phone confiscated for evidence. Cell phone is SP4's phone.



## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Gray and black LG cell phone.

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: UNK	Model:
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: SPRINGER, JAMES ALAN JR	Release Date:	Released To:

Property Note:

Black tri pod (cell phone holder)

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: BLACKWEB	Model: BWA18W1051
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: SPRINGER, JAMES ALAN JR	Release Date:	Released To:

Property Note:

10400 mAh external battery

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: UNKNOWN	Model:
Color: WHI	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: SPRINGER, JAMES ALAN JR	Release Date:	Released To:

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Property Note:

USB cable

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand:	Model:
Color: BLK	VIN / Serial#: 804VTXF010210	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: RUSSELL, JOSHUA	Release Date:	Released To:

Property Note:

Black/Gray Cell phone

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand: SAMSUNG	Model:
Color: BLK	VIN / Serial#: IMEI 354308081104894	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: MALDONADO, JASON ANTHONY	Release Date:	Released To:

Property Note:

Cell phone with cracked screen

**Property:**

Quantity: 1	Type: <b>NONE</b>	Description: <b>FIREARMS</b>
Year:	Make / Brand: DTI	Model: 5.56
Color: BLK	VIN / Serial#: B-7380	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: GARDINER, GREGORY	Release Date: 6/23/2018	Released To: GARDINER, GREGORY

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Property Note:

**Property:**

Quantity: 1      Type: **NONE**      Description: **OTHER**

Year:      Make / Brand: PMAG      Model: 5.56 MAGAZINE

Color: BLK      VIN / Serial#:      Loss Value: \$0.00

Recovered Date:      Recovered Value: \$0.00      Stored At:

Owner#:      NIC#:

Recovered From:      Recovered Local: No      Tag/Control:

Owner: GARDINER, GREGORY      Release Date: 6/23/2018      Released To: GARDINER, GREGORY

Property Note:

with ammo

**Property:**

Quantity: 1      Type: **NONE**      Description: **FIREARMS**

Year:      Make / Brand: RUGER      Model: P94

Color:      VIN / Serial#: 341-22798      Loss Value: \$0.00

Recovered Date:      Recovered Value: \$0.00      Stored At:

Owner#:      NIC#:

Recovered From:      Recovered Local: No      Tag/Control:

Owner: GARDINER, GREGORY      Release Date: 6/23/2018      Released To: GARDINER, GREGORY

Property Note:

.40 cal

**Property:**

Quantity: 1      Type: **NONE**      Description: **OTHER**

Year:      Make / Brand: RUGER      Model: .40 CAL MAGAZINE

Color:      VIN / Serial#:      Loss Value: \$0.00

Recovered Date:      Recovered Value: \$0.00      Stored At:

Owner#:      NIC#:

Recovered From:      Recovered Local: No      Tag/Control:

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## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Owner: GARDINER, GREGORY

Release Date: 6/23/2018

Released To: GARDINER, GREGORY

Property Note:

with ammo

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand: CANON	Model: VIXIA HF R600
Color: WHI	VIN / Serial#: 942114100798	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: WARDEN, DAVID	Release Date:	Released To:

Property Note:

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: NEEWER	Model:
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: WARDEN, DAVID	Release Date:	Released To:

Property Note:

Camera stick

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand: TRANSCEND	Model: SD CARD 64G
Color:	VIN / Serial#:	Loss Value: \$0.00

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: WARDEN, DAVID	Release Date:	Released To:

Property Note:

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: HP	Model:
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

Property Note:

Charger outlet (wall plug in)

**Property:**

Quantity: 2	Type: <b>EVIDENCE</b>	Description: <b>OFFICE-TYPE EQUIPMENT</b>
Year:	Make / Brand: UNKNOWN	Model:
Color: WHI	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

Property Note:

USB cord

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>CREDIT/DEBIT CARDS</b>
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## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Year:	Make / Brand: EECU MASTER CARD	Model: DEBIT
Color: BLU	VIN / Serial#: 5162890005141814	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

---

Property Note:

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: UNKNOWN	Model:
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

---

Property Note:

electrical tape

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: SAMSUNG	Model: AC ADAPTER
Color: WHI	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

---

Property Note:



## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

**Property:**

Quantity: 1      Type: **EVIDENCE**      Description: **OTHER**

Year:      Make / Brand: ZTE      Model:

Color: BLK      VIN / Serial#:

Recovered Date:      Recovered Value: \$0.00      Stored At:

Owner#:      NIC#:

Recovered From:      Recovered Local: No      Tag/Control:

Owner: PIERCE, JOSEPH      Release Date:      Released To:

Property Note:

wall plug

**Property:**

Quantity: 1      Type: **EVIDENCE**      Description: **OTHER**

Year:      Make / Brand: HYUNDAI      Model: 2600 MAH

Color: SIL      VIN / Serial#:

Recovered Date:      Recovered Value: \$0.00      Stored At:

Owner#:      NIC#:

Recovered From:      Recovered Local: No      Tag/Control:

Owner: PIERCE, JOSEPH      Release Date:      Released To:

Property Note:

Portable battery

**Property:**

Quantity: 1      Type: **EVIDENCE**      Description: **OTHER**

Year:      Make / Brand: ONN      Model:

Color: WHI      VIN / Serial#:

Recovered Date:      Recovered Value: \$0.00      Stored At:

Owner#:      NIC#:

Recovered From:      Recovered Local: No      Tag/Control:

Owner: PIERCE, JOSEPH      Release Date:      Released To:

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

## Property Note:

portable charger cigarette plug

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: BROWN BOX	Model:
Color:	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

## Property Note:

three attachments inside box include;

two batteries  
one USB cord**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>COMPUTER HARDWARE/SOFTWARE</b>
Year:	Make / Brand: SANDISK	Model: ULTRA PLUS
Color:	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

## Property Note:

New in package 16G

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand:	Model: SELFIE STICK
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Owner: PIERCE, JOSEPH

Release Date:

Released To:

Property Note:

Phone 'selfie' stick

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>CAMPING/HUNTING/FISHING EQUIPM</b>
Year:	Make / Brand: UNKNOWN	Model: FOLDED
Color: GRY	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

Property Note:

Fold style pocket knife

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>PURSES/HANDBAGS/WALLETS</b>
Year:	Make / Brand:	Model: TRIFOLD
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

Property Note:

Nylon trifold wallet

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>MONEY</b>
Year:	Make / Brand: US DOLLARS	Model:
Color: GRN	VIN / Serial#:	Loss Value: \$19.50

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

## Property Note:

10 Dollar bill serial ML 00441108 A  
 5 Dollar bill serial ML 06732040 F  
 1 Dollar bill serial L 19599790 D  
 1 Dollar bill serial H 44527567 D  
 1 Dollar bill serial C 29181789 A  
 1 Dollar bill serial D 95277370 E  
 2 US quarters

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>RECORDINGS-AUDIO/VISUAL</b>
Year:	Make / Brand: SAMSUNG	Model: GALAXY J7
Color: BLK	VIN / Serial#: IMEI 355077082522326	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

## Property Note:

contains a 128G SanDisk ultra plus memory card

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>CAMPING/HUNTING/FISHING EQUIPM</b>
Year:	Make / Brand: OUTDOOR PRODUCTS	Model:
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Property Note:

Back pack

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OFFICE-TYPE EQUIPMENT</b>
Year:	Make / Brand:	Model:
Color: SIL	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

Property Note:

USB cord

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OFFICE-TYPE EQUIPMENT</b>
Year:	Make / Brand: ONN	Model:
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

Property Note:

computer mouse

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand:	Model:
Color: SIL	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: PIERCE, JOSEPH	Release Date:	Released To:

LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Property Note:

Camera tripod

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand: DVC	Model:
Color:	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: GREEN, JASON	Release Date:	Released To:

Property Note:

DVC Black Bag

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand:	Model:
Color:	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: GREEN, JASON	Release Date:	Released To:

Property Note:

Ultra San Disk

**Property:**

Quantity: 1	Type: <b>EVIDENCE</b>	Description: <b>OTHER</b>
Year:	Make / Brand:	Model:
Color:	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:



## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Owner: GREEN, JASON

Release Date:

Released To:

Property Note:

Black Battery

**Property:**

Quantity: 1

Type: **EVIDENCE**Description: **RECORDINGS-AUDIO/VISUAL**

Year:

Make / Brand: DVC

Model:

Color:

VIN / Serial#: F31724366

Loss Value: \$0.00

Recovered Date:

Recovered Value: \$0.00

Stored At:

Owner#:

NIC#:

Recovered From:

Recovered Local: No

Tag/Control:

Owner: GREEN, JASON

Release Date:

Released To:

Property Note:

DVC Digital Video Camera

**Property:**

Quantity: 1

Type: **UNKNOWN**Description: **OTHER**

Year:

Make / Brand:

Model:

Color:

VIN / Serial#:

Loss Value: \$0.00

Recovered Date:

Recovered Value: \$0.00

Stored At:

Owner#:

NIC#:

Recovered From:

Recovered Local: No

Tag/Control:

Owner: NGUYEN, BAO-QUOC TRAC

Release Date:

Released To:

Property Note:

Lotion

**Property:**

Quantity: 1

Type: **UNKNOWN**Description: **OTHER**

Year:

Make / Brand: ADVENTURE

Model: MY CHARGE

Color:

VIN / Serial#:

Loss Value: \$0.00

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: NGUYEN, BAO-QUOC TRAC	Release Date:	Released To:

Property Note:

Power Source

**Property:**

Quantity: 1	Type: <b>UNKNOWN</b>	Description: <b>OTHER</b>
Year:	Make / Brand:	Model:
Color:	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: NGUYEN, BAO-QUOC TRAC	Release Date:	Released To:

Property Note:

Goggles

**Property:**

Quantity: 1	Type: <b>UNKNOWN</b>	Description: <b>PORTABLE ELECTRONIC COMMUNICAT</b>
Year:	Make / Brand:	Model:
Color: BLK	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: NGUYEN, BAO-QUOC TRAC	Release Date:	Released To:

Property Note:

Laptop

**Property:**

Quantity: 1	Type: <b>UNKNOWN</b>	Description: <b>PORTABLE ELECTRONIC COMMUNICAT</b>
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DEFT COLV 00173

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Year:	Make / Brand: JAZZ	Model: JDC87
Color:	VIN / Serial#:	Loss Value: \$0.00
Recovered Date:	Recovered Value: \$0.00	Stored At:
Owner#:	NIC#:	
Recovered From:	Recovered Local: No	Tag/Control:
Owner: NGUYEN, BAO-QUOC TRAC	Release Date:	Released To:

## Property Note:

Digital Camera with 2 USB Cords

**Involved:** SP6

Code: SUSPECT 6	Address: 1643 LACY DR	
Name: <b>RUSSELL, JOSHUA</b>	LIPAN, TX 76462	
Race: W	Sex: M	Home Phone:
DOB: 6/12/1989	Offense Age: 29	Work Phone:
DL#: 25977277	Current Age: 29	Mobile Phone:
DL State: TX	Employer:	Occupation:

**Involved:** SP3

Code: SUSPECT 3	Address: 1601 DENISE DR	
Name: <b>GARDINER, GREGORY</b>	KILLEEN, TX 76542	
Race: W	Sex: M	Home Phone:
DOB: 4/27/1961	Offense Age: 57	Work Phone:
DL#: 38201408	Current Age: 57	Mobile Phone:
DL State: TX	Employer:	Occupation:

**Involved:**

Code: WITNESS 1	Address:	
Name: ***** Information Has Been Restricted *****		
Race:	Sex:	Home Phone:
DOB:	Offense Age: 16	Work Phone:
DL#:	Current Age: 17	Mobile Phone:
DL State:	Employer:	Occupation:

**Involved:**

Code: WITNESS 2	Address:	
Name: ***** Information Has Been Restricted *****		
Race:	Sex:	Home Phone:
DOB:	Offense Age: 17	Work Phone:
DL#:	Current Age: 17	Mobile Phone:
DL State:	Employer:	Occupation:

**Involved:** O1

Code: OTHER 01	Address:	
Name: <b>WARDEN, DAVID</b>		
Race:	Sex:	Home Phone:
DOB:	Offense Age:	Work Phone:
DL#:	Current Age:	Mobile Phone:
DL State:	Employer:	Occupation:

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

<b>Involved:</b>				O2	
Code: OTHER 2		Address: 610 COLWYN PASS			
Name: <b>WINTERS, SARAH</b>		SAN ANTONIO, TX 78216			
Race: W	Sex: F	Home Phone: (210)439-5498		Work Phone:	
DOB: 3/12/1968	Offense Age: 50	Current Age: 50		Mobile Phone:	
DL#: 29516394	DL State: TX	Employer:		Occupation:	

<b>Involved:</b>				W3	
Code: WITNESS 3		Address: 23022 FAIRWAY BRIDGE			
Name: <b>MEAD, JAMES</b>		SAN ANTONIO, TX 78258			
Race: W	Sex: M	Home Phone:		Work Phone:	
DOB: 9/23/1960	Offense Age: 57	Current Age: 57		Mobile Phone:	
DL#: 23399958	DL State: TX	Employer:		Occupation:	

<b>Involved:</b>				W4	
Code: WITNESS 4		Address: 82 ROUND UP RD			
Name: <b>MALDONADO, JASON ANTHONY</b>		SAN ANTONIO, TX			
Race: W	Sex: M	Home Phone: (210)612-9329		Work Phone:	
DOB: 8/6/1978	Offense Age: 39	Current Age: 40		Mobile Phone:	
DL#: 03997535	DL State: TX	Employer:		Occupation:	

<b>Involved:</b>				SP2	
Code: SUSPECT 2		Address: 414 AMBERDALE OAK			
Name: <b>HERNANDEZ, ALDO ALEZANDRO</b>		SAN ANTONIO, TX 78249			
Race: W	Sex: M	Home Phone: (956)763-9569		Work Phone:	
DOB: 10/16/1990	Offense Age: 27	Current Age: 27		Mobile Phone:	
DL#: 24586574	DL State: TX	Employer:		Occupation:	

<b>Involved:</b>				AP2	
Code: ARRESTED PERSON 2		Address: 3006 CHIESA			
Name: <b>SPRINGER, JAMES ALAN JR</b>		ROWLETT, TX 75088			
Race: W	Sex: M	Home Phone: (469)230-5583		Work Phone:	
DOB: 7/29/1984	Offense Age: 33	Current Age: 34		Mobile Phone:	
DL#: 35706973	DL State: TX	Employer:		Occupation:	

<b>Involved:</b>				SP4	
Code: SUSPECT 4		Address: 1005 EAST 7TH ST			
Name: <b>RICHARD, THERESA COOK</b>		CROWLEY, LA 70526			
Race: W	Sex: F	Home Phone: (337)784-0209		Work Phone:	
DOB: 7/31/1969	Offense Age: 48	Current Age: 49		Mobile Phone:	
DL#: 0053534402	DL State: LA	Employer:		Occupation:	

<b>Involved:</b>				SP1	
Code: SUSPECT 1		Address: 56 S WESTMOOR AVE B			
Name: <b>GREEN, JONATHAN M</b>		NEWARK, OH 43055			
Race: W	Sex: M	Home Phone:		Work Phone:	
DOB: 7/1/1988	Offense Age: 29	Current Age: 30		Mobile Phone:	
DL#: ST401412	DL State: OH	Employer:		Occupation:	

<b>Involved:</b>				SP5	
Code: SUSPECT 5		Address: 1207 VICKSBURG DR			
Name: <b>HERRERA, SELENA CAROL</b>		ENES, TX 78519			

## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Race: W	Sex: F	Home Phone: (972)268-4016	Work Phone:
DOB: 4/7/1998	Offense Age: 20	Current Age: 20	Mobile Phone:
DL#:	DL State:	Employer:	Occupation:

**Arrest:**

Arrest#: <b>201804036</b>	Date Arrested: 6/23/2018	Time Arrested: 17:30	Cell No:	Date Released:
Name: <b>HOWD, BRIAN</b>	Address: 5097 HOLLY AVE			
Race: W	Sex: M	NORTON, OH 44203		
DOB: 2/12/1971	Arrest Age: 47	Home Phone: (330)573-4044	Work Phone:	
Juvenile: N	Current Age: 47	Mobile Phone:	Caution:	
DL#: RS963733	DL State: OH	DL Type:	Employer:	Occupation:

Arrest Location: 6400 EL VERDE	City: LEON VALLEY	District: 2
Agency: LEON VALLEY POLICE DEPARTMENT		

Arresting Officer: 1220	HERNANDEZ #561
Booking Officer: 1220	HERNANDEZ #561
Transfer Officer:	

**Charge(s):****INTERFERENCE W/PUBLIC DUTIES**

Statute: 38.15(a)	Code: PC	Penalty: MB
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Charge Note:

**RESIST ARREST SEARCH OR TRANSPORT**

Statute: 38.03(a)	Code: PC	Penalty: MA
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Charge Note:

Arrest Narrative:

**Arrest:**

Arrest#: <b>201804036A</b>	Date Arrested: 6/23/2018	Time Arrested: 17:15	Cell No:	Date Released:
Name: <b>SPRINGER, JAMES ALAN JR</b>	Address: 3006 CHIESA			
Race: W	Sex: M	ROWLETT, TX 75088		
DOB: 7/29/1984	Arrest Age: 33	Home Phone: (469)230-5583	Work Phone:	
Juvenile: N	Current Age: 34	Mobile Phone:	Caution:	
DL#: 35706973	DL State: TX	DL Type:	Employer:	Occupation:

Arrest Location: 6400 EL VERDE RD	City: LEON VALLEY	District: 3
Agency: LEON VALLEY POLICE DEPARTMENT		

Arresting Officer: 1274	EVANS, BRANDON
Booking Officer: 1274	EVANS, BRANDON
Transfer Officer:	

**Charge(s):****OBSTRUCTION RETALIATION BY THREAT**

Statute: 36.06	Code: PC	Penalty: F3
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Charge Note:

Arrest Narrative:

**Arrest:**

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## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Arrest#: **201804036-B** Date Arrested: 6/23/2018 Time Arrested: 18:00 Cell No: Date Released:  
 Name: **PIERCE, JOSEPH** Address: 644 KERRY ST  
 Race: W Sex: M CROWLEY, TX 76036  
 DOB: 7/19/1976 Arrest Age: 41 Home Phone: Work Phone:  
 Juvenile: N Current Age: 42 Mobile Phone: Caution:  
 DL#: 43167388 DL State: TX DL Type: Employer: Occupation:

Arrest Location: 6400 EL VERDE City: LEON VALLEY District:  
 Agency: LEON VALLEY POLICE DEPARTMENT

Arresting Officer: 1176 VASQUEZ #552  
 Booking Officer:  
 Transfer Officer:

**Charge(s):****INTERFERENCE W/PUBLIC DUTIES**

Statute: 38.15(a) Code: PC Penalty: MB

Charge Note:

**FAILURE TO IDENTIFY**

Statute: 38.02 Code: PC Penalty: MC

Charge Note:

Arrest Narrative:

**Arrest:**

Arrest#: **201804036-C** Date Arrested: 6/23/2018 Time Arrested: 18:00 Cell No: Date Released:  
 Name: **GREEN, JASON** Address: 3626 SUMMITT  
 Race: W Sex: M PATASKALA, OH 43062  
 DOB: 2/12/1971 Arrest Age: 47 Home Phone: (740)975-4639 Work Phone:  
 Juvenile: N Current Age: 47 Mobile Phone: Caution:  
 DL#: RS963733 DL State: OH DL Type: Employer: Occupation:

Arrest Location: 6400 EL VERDE City: LEON VALLEY District:  
 Agency: LEON VALLEY POLICE DEPARTMENT

Arresting Officer: 1176 VASQUEZ #552  
 Booking Officer:  
 Transfer Officer:

**Charge(s):****INTERFERENCE W/PUBLIC DUTIES**

Statute: 38.15(a) Code: PC Penalty: MB

Charge Note:

**RESIST ARREST SEARCH OR TRANSPORT**

Statute: 38.03(a) Code: PC Penalty: MA

Charge Note:

**FAILURE TO IDENTIFY**

Statute: 38.02 Code: PC Penalty: MC

Charge Note:



## LEON VALLEY POLICE DEPARTMENT

Incident #201804036

Arrest Narrative:

**Arrest:**

Arrest#: <b>201804036D</b>	Date Arrested: 6/23/2018	Time Arrested: 18:00	Cell No:	Date Released:
Name: <b>NGYUEN, BAO-QUOC TRAN</b>	Address: 644 KERY ST			
Race: A	Sex: M	CROWLEY, TX 76036		
DOB: 12/1/1982	Arrest Age: 35	Home Phone:	Work Phone:	
Juvenile: N	Current Age: 35	Mobile Phone:	Caution:	
DL#:	DL State:	DL Type:	Employer:	Occupation:
Arrest Location: 6400 EL VERDE			City: LEON VALLEY	District:
Agency: LEON VALLEY POLICE DEPARTMENT				
Arresting Officer: 1176 VASQUEZ #552				
Booking Officer:				
Transfer Officer:				

**Charge(s):****OBSTRUCTION RETALIATION BY THREAT**

Statute: 36.06

Code: PC

Penalty: F3

Charge Note:

Arrest Narrative:

**Narrative:**

AP1 - Nyguen, Bao-Quac  
 AP2 - Springer, James  
 AP3 - Pierce, Joseph  
 AP4 - Green, Jason  
 AP5 - Howd, Brian  
 SP1 - Green, jonathan  
 SP2 - Hernandez, Aldo  
 SP3 - Gardiner, Gregory  
 SP4 - Russell, Josh

On 23June2018 at 1730 hours, This officer was at the listed location during an anarchist demonstration which had escalated over the past two weeks. Ap 1 and AP 2 were both in front of the Leon Valley Police dept protesting and both AP's were streaming live the event in progress. During this live broadcast on YouTube channels C 's home address personal identifying information and identifying information on C's family, names, addresses were listed. This act incited viewers to make death threats against C and his family. Ap1 and Ap2 did nothing to delete or stop the personal identifying information from being listed on the comments.

C1 stated himself and his family have come under death threat and physical harm and violence due to the publicly broadcasted information of C' and his family on the internet media platform YouTube. Information included their names and addresses. The information was being posted by anarchist agitators in the chat group during live broadcast as well as threats of stalking and causing physical violence.

This information was ultimately publicly broadcasted by AP1 and AP2 during their live streams and information left in the chat on their respective pages to be viewed by anyone on the page without

interference from them. This action placed C in fear for his safety and life, as well as that of his family causing them to leave their home and find alternate housing since initial threat observed. This act was committed by AP1 and AP2 for the retaliation of C1, as public servant as The Chief of Police for the City of Leon Valley acting in his official capacity.

The posting of their addresses on YouTube by viewers of the live stream on, a publicly accessible site and channels operated by AP1 and AP2 with active moderators to control information displayed. Effort was shown deleting comments from viewers who are against their message or supporting police by the moderators as well as by AP1 and AP2 on their respective pages(Channels). The posting of the messages brought on the threats of violence, serious bodily harm as well as death.

No effort was made to moderate those offensive posts or personal information. AP1 and AP2 belong to this anarchist group of agitators who's sole purpose is to incite a confrontation with police and interrupt emergency 911 operations as the agitators encourage viewers to flood the 911 call center with frivolous calls

AP2 had posted a video to YouTube social media platform for a "call to action." This stemming from arrests on 18June2018, an organized gathering set for 22June2018 at 1200hours. AP1 and AP2 continued live streams hosted by both are monitored by both parties as seen during their broadcasts and the interaction with those typing on their respective channels. AP1 and AP2 had known moderators in the chat to delete comments which were contrary to beliefs and statements or pro law enforcement. Those names are seen in a different color font and a wrench next to the username during the chat.

The organized event was created to protest city government activity in the municipality. AP1, currently on Bond from Crowley, Tx and unemployed, he had rented a vehicle to travel to Leon Valley for the organized anti government/anti police event. AP1 live streamed his travels and activity through YouTube Live Stream and uses for financial gains/donations from viewers.

At time of arrest, I apprehended AP1 who was placed in handcuffs after the removal of his backpack and sign hanging from his neck. He was informed he was being charged with PC36.06 Obstruction or Retaliation and taken into the Leon Valley Municipal Building for identification and processing. AP1 identity was confirmed and shown clear of any warrants. His Samsung Galaxy S8, Spigen Phone Case and Zeadio mounted on ZGrip equipment frame was taken as evidence related to the offense.

AP2 was taken into custody by Off. Evans#556 for the offense of PC36.06 Obstruction or Retaliation for his YouTube channel(James Freeman) which was used to live stream the address and names of C1, and his family.

AP3 had been placed under arrest by Off.J.Vasquez#552 for Interference with Public Servant Duties followed by a Citation for Failure to Identify. Details of event noted in attached supplement report by J.Vasquez#552.

AP4 was placed under arrest by Capt.R.Saucedo#543 for the offense of Interference with Public Servant Duties followed by a Citation for Failure to Identify. Details of event noted in attached supplement report by Capt.R.Saucedo#543.

AP5 was placed under arrest by Off.U.Hernandez#561 for Interference with Public Servant Duties and Resisting Arrest. Details of event noted in attached supplement report by Off.U.Hernandez#561.

SP2 was contacted by Cpl.C.Carrillo#554 and identified. He provided information and allowing access

LEON VALLEY POLICE DEPARTMENT

Incident #201804036

to his cell phone to show he was not participating in the gathering and was released once shown with no active warrants.

SP3 was contacted by Cpl.L.Farias#534 who seized equipment as items used to record evidence of a crime occurring. He was released shortly after without incident.

SP4 was contacted by Off.U.Hernandez who had been attempting to retrieve recording devices as evidence. Off.R.Parra assisted in detaining in handcuffs. SP4 was identified and released shortly after without incident. Contact documented in supplement reports from both officers.

The Leon Valley Police dept has been in contact with the Bexar County District Attorney's office and local FBI office in regards to this anarchist agitator group.

The D.A's office is aware of these charges and arrest being made today.

**Supplement: R. Parra 520**

On 06/23/2018 at 17:15hrs, I assisted Officers in front of the Leon Valley Municiple Offices with multiple agitators that were being arrested or detained for listed charges. All subjects at location were instructed to give up all recording devices since it was used to record the arrest and going to be seized as evidence. I confiscated SP6's cell phone. I observed AP5 resisting arrest/detention by Officer Hernandez by refusing to give up his recording his device in which it recorded a crime and by pulling away his arms. I approached Officer Hernandez and assisted detaining AP5 with handcuffs behind the back. SP6's cell phone was placed into evidence.

**Supplement: Hernandez**

On June 23, 2018 at approximately 1730 hrs., I was assigned to the Leon Valley Police Dept as security for the first amendment auditors who were staging a protest. (AP5) Howd, B. had a black Canon camcord that was recording officers arresting AP2 and needed to be seized as evidence. I then walked towards AP5 and instructed him twice to hand over the camera since it had recorded the event. AP5 then asked why and began to walk backwards. I then grabbed AP5 left arm that was holding the camera and he pulled back and became stiff not allowing me to retrieve the camera. I then advised AP5 that he was interfering with public duties. AP5 still continued to resist becoming stiff, LVPD Officer Parra #520 then came to me for assistance by controlling AP5 right arm. Both arms were placed behind his back and was placed in handcuffs. AP5 camera was placed in evidence room. AP5 was charged for Interference with Public Duty and Resisting arrest/Detention. AP5 was then transported to 401S.Frio for booking.

The entire event was captured on my Coban body cam.

**Supplement: E.Rivera 567**

On 06.23.2018 at about 1730 hours, I was advised by Chief Salvaggio to provide property receipts to witnesses whose property was confiscated for evidence. At that time I provided property receipts to SP2 and SP4 and placed confiscated property into property room. A white/ black GoPro Stick was located outside in front of the City Council Chambers and was not claimed, I placed property into property room as found.

**Supplement: Cpl. L. Farias 534**

On the above date and time, I assisted other officers in front of the Leon Valley Municipal offices with several agitators that were being detained or arrested for the listed charges. All involved were instructed to give up all recording devices and recordings, since it was used to record the arrest and going to be seized as evidence.

SP3 was a witness to the listed crimes and was in possession of a Go Pro video camera attached to a

camera stick. Officer R. Parra approached SP3 and requested that SP3 hand over the Go Pro camera as it was being seized for evidence. SP3 complied and Officer R. Parra placed it in the Patrol Room for safe keeping.

SP3 also had an AR15 rifle slung on his side with a loaded magazine, but did not display it in an alarming manner and was attached to him in a manner that he would have quick access to it. Officer J. Vasquez placed him in handcuffs for officer safety. At that point SP3 stated to me that he had a pistol in his possession and had a current concealed handgun license.

SP3 was now detained, so I conducted an investigation of possible unlawful carrying. I retrieved from SP3, a DTI AR15 5.56 rifle that had a PMAG magazine attached to it with ammo. The rifle had no ammo chambered or in battery. From SP3's hip Officer J. Vasquez retrieved a Ruger P94 .40cal pistol with a Ruger magazine with ammo and a round in the chamber. Officer J. Vasquez rendered the pistol safe and gave me possession of it.

SP3 stated he also had a Go Pro camera taken from him and he identified Officer Parra as the officer that seized it. I spoke with Officer Parra and retrieved the Go Pro camera as I took custody of it for processing as evidence.

I verified that SP3 had an active concealed handgun carry license, so I issued SP3 a property receipt indicating that he received his rifle, rifle magazine and ammo, his pistol, pistol magazine ammo. SP3 signed it and was given said property.

SP3 stated that he had no video recording of the above listed arrested individuals and stated he was just recording himself for proof that he did not display his rifle in an alarming way.

SP3 was asked by Det. E. Gonzalez and Det. J. Wells, if he would give consent for the police to retrieve the video on his Go Pro camera and SP3 declined. SP3 then was issued a property receipt for his Go Pro camera with a battery, a UK Pro camera stick and a 32G SanDisk memory card that was located inside the Go Pro camera. SP3 was advised the these items were being seized as evidence and a search warrant would be obtained.

SP3 was released at the scene and he left the location.

The items seized as evidence were place in evidence locker one.

**Supplement: Carrillo 554**

On 06/23/18 at approximately 0530 hours, I arrived at Leon Valley Police Department to assist with a large group of protesters. I made location Identified SP2. I was informed by Officer Rivera, she had a property receipt for SP2's cell phone. SP2 then informed me he was not with the group but was at the water store at 6526 Bandera when he over heard one of the protesters make the comment of C going to have an interview with the protesters. SP2 stated he had been following some of the recordings on the Internet from the protesters. SP2 decided to follow the protesters and see what was going to happen. This is when he was taken into custody with the group and brought inside the Police Department. SP2 stated he was not recording and would allow us to review his phone. I handed SP2 a consent to search form. SP2 read and on his own free will signed consent form, and gave Detective Brooks the code to unlock the phone. Detective Brooks checked the phone and found that SP2 did not record any of the protest, SP2's phone contained no evidence and was released to leave with his phone.

**Supplement: Evans #556**

On 06/23/2018 at approximately 1715 hours while at 6400 El Verde Rd (Leon Valley City Hall), I was advised by C we would be executing an arrest on AP1 and AP2. The charge for AP1 and AP2 would be Obstruction or Retaliation PC 36.06 due to AP1 and AP2 live streaming via YouTube, C's address along with his wife's and daughter's information for the public to see. AP2 publicly live streamed to the public C's address while knowing C is a public servant. AP2 was outside of the Leon Valley City Hall along with approximately 15-20 individuals conducting a demonstration. There have been threats of harm to C and his family ever since the information was posted on YouTube. My task was to apprehend AP2 once outside. I exited the building through the City Council Chamber's entrance/exit on the east wing of the building. I observed AP2 (who I have previously identified before) recording with his phone on the sidewalk near the intersection of El Verde Rd and Bandera Rd. I approached AP2 and advised him he was under arrest for Obstruction or Retaliation PC 36.06. AP2 was placed in hand cuffs and escorted into the police station. While in the police station, I searched AP2, read him his Miranda Warning, and placed him in a holding cell. Property obtained from AP2 was stored in Leon Valley Police Department Property Room as evidence. AP2 was given a property receipt for the items taken from him. AP2 was processed while at Leon Valley Police Department, then transported to 401 S. Frio for booking on the charge of Obstruction or Retaliation.

Items take from AP2 by me:

- 1 Black Samsung Cell Phone S/N=RV8K30KCA8P
- 1 Small Black Tripod No Brand
- 1 Black "Blackweb" Box Charger S/N= BWA18W1051
- 1 White USB Cable Cord No Brand

**Supplement: VASQUEZ #552**

On 06/23/2018 at approximately 1700 hours, C advised Leon Valley Patrol units will be executing an arrest of AP1 for the offense of Obstruction or retaliation. C stepped outside to the front of the Municipal court building, east wing, and contacted a large group of over ten agitators/anarchist who were video recording with multiple video recording devices (cell phones, tablets, cameras etc). The large group of agitators /anarchists have been demonstrating over multiple days in front of the Municipal Court building with the sole purpose of creating a confrontation with the Police Department and government body. As C stepped out of the building, the large group of agitators/anarchists approached C and C immediately announced in a loud clear tone that AP1 was under arrest. Leon Valley Officers took custody of AP1, C then proceed to announce in a loud clear voice to all agitators/ anarchists that they are not free to leave and advised the large group to surrender their recording devices due to them being a witness to a crime. Patrol Officers began requesting video recording devices from agitators /anarchists recording the event in the proximity. As a large group of agitators/anarchists were detained, they were told to sit down along a brick wall to collect items and provided property receipt. As I approached AP3 who was

approximately 30 feet away from me, I could see him holding a selfie stick with a black phone or tablet attached to the end filming the event. He is known on YouTube as "Ethics instead" and is known to video record encounters with Police with the sole purpose to create hostile environments with the police. I commanded him in a loud clear voice to "come here" and as he began to walk away I advised him again to come here, now describing his clothing that he was wearing. As AP3 continued to walk away from me while recording after having clear sight of me approaching him, I told him one last time to "come here" and AP3 then stopped next to another agitator/anarchist continuing to record me approaching him. As I approached AP3, I told him clearly "I need your device." AP3 advised he didn't hear me so I told him again "I need your device." AP3 stated he didn't hear me again so I told him again "I need your device." AP3 Replied "I don't want to give it to you." I then went hands on and attempted to grab his left wrist. At this time, he pulled his left arm back to prevent apprehension. As I grabbed AP3, he complied and was handcuffed. AP3 was wearing a black tank top shirt with a black back pack on his back while holding a selfie stick with a black Samsung Verizon Galaxy J7 cell phone attached. AP3 was given to Captain Saucedo and I went to assist Corporal Farias to detain SP3 who was carrying a rifle slung to the front of his chest and a holstered handgun on his right side. SP3 was detained by me and both weapons were made safe, Corporal Farias then escorted male to the detainment area in front of the Municipal building. I then observed O1 standing on the sidewalk near Bandera and El Verde holding a cell phone to his face, also appearing to record the event taking place, due to him being a witness to the crime, I asked him for his phone and as he questioned why I detained him. He was then escorted to the detainment area in front of the Municipal hall building. After taking male to the location I assisted Officer Griego in identifying witnesses in the activity at 6526 Bandera, I contacted W1 and W2, due to W2 being a minor I also contacted mother O2. I then made location at 6400 El Verde and assisted in confiscating video devices. I collected a Samsung Cell Phone J3 Luna from a W4, property receipt provided and item given to E. Rivera, and a Motorola flip phone from a W3, property receipt given and items transferred over to Officer Rivera. I re-contacted AP3 in front of the council chambers and during property inventory I asked him for his name. AP3 advised he is not going to provide me any information. I continued to ask multiple times and he refused to provide his information. He was eventually identified as listed AP3 in this report. Following items were confiscated from AP3:

selfie stick

knife

black wallet with 19.25

Samsung Verizon Galaxy J7

Black outdoor back pack



Silver USB cord  
Black mouse  
Small tripod  
EECU debit card  
Black tape  
AC adapter white  
Wall plug  
Hyundai portable charging device  
Camera digital box containing 3 attachments  
16 GB san disk  
Charging outlet port for HP  
Two USB cards  
All items transferred over to E. Rivera

AP3 intentionally refused to provide his name, date of birth and address after he was lawfully arrested, he is charged with Failure to identify, Citation issued: 163028

AP1, AP2, AP3, AP4, AP5

**AP'S were given a criminal trespass warning and copy of all Leon Valley Facilities thereof:**

**CITY OF LEON VALLEY MUNICIPAL COURT OFFICES AND POLICE DEPARTMENT  
: 6400 EL VERDE RD  
CITY OF LEON VALLEY FIRE DEPARTMENT : 6300 EL VERDE RD  
CITY OF LEON VALLEY LIBRARY : 6425 EVERS RD  
CITY OF LEON VALLEY COMMUNITY : 6427 EVERS RD  
CITY OF LEON VALLEY CONFERENCE CENTER : 6421 EVERS RD  
CITY OF LEON VALLEY PUBLIC WORKS : 6429 EVERS RD  
CITY OF LEON VALLEY PARK : 6440 EVERS  
ALL LOCATIONS ARE IN LEON VALLEY TX 78238**

**Supplement:** CID Supplement Brooks #521**06/23/18**

I was called out on this date to assist LVPD officers with processing numerous subjects that had been arrested at the Leon Valley Police Department. Upon arrival, I was contacted by Sgt Gonzales who requested I speak with a subject who was a possible witness. I was directed to an individual identified as Aldo Alexandro Hernandez. Hernandez was detained during the arrests mentioned earlier. He was in possession of a cellular telephone that was believed may contain evidence regarding the arrests. Hernandez voluntarily signed a Consent to Search allowing LVPD officers to search his phone. Hernandez voluntarily provided his passcode and i examined the contents. I determined the phone did not contain any evidence and it was returned to Hernandez. He left the scene once his phone was returned to him.

***Inv T. Brooks #521*****Supplement:** A.Griego 566

Once on scene I was directed by Capt.Saucedo to detain individuals standing at the NE connor of the property. I detained SP6 in handcuffs and sat him in the council chambers lobby.I then again went outside to assist officers. Chief Salvaggio informed me that SP5 was a witness to the offense and advised me to identify her. I identified SP5 and seized her phone for evidence. SP5 was issued a copy of property receipt by Officer Rivera. I handed SP5's phone to Ofc Rivera for processing. Chief Salvaggio also handed me a cell phone that he located on sidewalk and asked me to locate its owner. SP1, who was already detained inside, stated that the cell phone found on the sidewalk belonged to him, I then issued SP1 a property receipt for his cell phone which was seized as evidence. SP1's cell phone was handed to Ofc Rivera for processing. I then returned to the council chambers lobby and identified SP6, SP6 was then given a property receipt for his cell phone by Ofc.Parra who had seized his cellphone.

## CHAIN OF CUSTODY REPORT

## LEON VALLEY POLICE DEPARTMENT

<b>Incident#</b> 201804036	<b>CFS#</b>	<b>Property#</b> 89172
<b>Report Date</b> 6/23/2018	<b>Prop Status</b>	<b>Prop Status Date</b> 6/23/2018

<b>Item#</b> 14	<b>Offense</b>	<b>Loss Type</b> NONE
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<b>Description</b> RECORDINGS-AUDIO/VISUAL	<b>Details</b> IPHONE BLK
--	---------------------------

<b>Item Status</b> ACTIVE	<b>Item Status Date</b> 06/23/2018
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<b>Storage Information</b> Currently Released
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<b>Note</b> With Lime Green case
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<b>Date Out</b> 06/23/2018	<b>Time Out</b>	<b>Destination</b>
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<b>Reason</b>	<b>Disp</b>
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<b>Released By</b> RIVERA #567, ERIKA
---------------------------------------

<b>Released To</b> HERNANDEZ, ALDO ALEZANDRO
--

<b>Item#</b> 22	<b>Offense</b>	<b>Loss Type</b> NONE
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<b>Description</b> FIREARMS	<b>Details</b> DTI 5.56 BLK
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<b>Item Status</b>	<b>Item Status Date</b> 06/23/2018
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<b>Storage Information</b> Currently Released
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<b>Date Collected</b> 06/23/2018	<b>Time Collected</b>	<b>Collected By</b> FARIAS #534
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<b>Collected From</b>
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<b>Date Out</b> 06/23/2018	<b>Time Out</b>	<b>Destination</b>
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<b>Reason</b>	<b>Disp</b>
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<b>Released By</b> FARIAS #534
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<b>Released To</b> GARDINER, GREGORY
--------------------------------------

<b>Item#</b> 23	<b>Offense</b>	<b>Loss Type</b> NONE
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<b>Description</b> OTHER	<b>Details</b> PMAG 5.56 MAGAZINE BLK
--------------------------	---------------------------------------

<b>Item Status</b>	<b>Item Status Date</b> 06/23/2018
--------------------	------------------------------------

<b>Storage Information</b> Currently Released
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<b>Note</b> with ammo
-----------------------

<b>Date Collected</b> 06/23/2018	<b>Time Collected</b>	<b>Collected By</b> FARIAS #534
----------------------------------	-----------------------	---------------------------------

<b>Collected From</b>
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## LEON VALLEY POLICE DEPARTMENT

<b>Incident#</b> 201804036	<b>CFS#</b>	<b>Property#</b> 89172
<b>Report Date</b> 6/23/2018	<b>Prop Status</b>	<b>Prop Status Date</b> 6/23/2018

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**Date Out** 06/23/2018 **Time Out** **Destination**
**Reason** **Disp****Released By** FARIAS #534**Released To** GARDINER, GREGORY

<b>Item#</b> 24	<b>Offense</b>	<b>Loss Type</b> NONE
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**Description** FIREARMS **Details** RUGER P94**Item Status** **Item Status Date** 06/23/2018**Storage Information** Currently Released**Note** .40 cal

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**Date Collected** 06/23/2018 **Time Collected** **Collected By** FARIAS #534
**Collected From**


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**Date Out** 06/23/2018 **Time Out** **Destination**
**Reason** **Disp****Released By** FARIAS #534**Released To** GARDINER, GREGORY

<b>Item#</b> 25	<b>Offense</b>	<b>Loss Type</b> NONE
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**Description** OTHER **Details** RUGER .40 CAL MAGAZINE**Item Status** **Item Status Date** 06/23/2018**Storage Information** Currently Released**Note** with ammo

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**Date Collected** 06/23/2018 **Time Collected** **Collected By** FARIAS #534
**Collected From**


---

**Date Out** 06/23/2018 **Time Out** **Destination**
**Reason** **Disp****Released By** FARIAS #534**Released To** GARDINER, GREGORY



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Ms. Margaret G. White  
Mr. Luis Vailente  
Ms. Carolyn Stritzke  
Ms. Marlana Guarjardo  
Mr. Jonathan Green  
Mr. Russell Zinter  
Mr. Mark Brown  
Mr. Dave Bailey  
Mr. Kevin Egan  
Mr. Juan Gonzales, Jr.  
Mr. Greg Gardiner  
Ms. Theresa Richard  
Mr. James Springer  
Mr. Jason Green  
Mr. Robert Morison, Zoom Facilitator



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JAMES MEAD

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1 custody because you were there with cameras in your hand  
2 or you were there because you were just present?

3 A. In my opinion, I was arrested because I was  
4 present with a camera and there was an effort to shut  
5 down any efforts to communicate about Leon Valley.

6 Q. Okay. So would that be in addition to the  
7 failure to identify?

8 A. No, I think they used the failure to identify  
9 as a way to get IDs.

10 Q. Okay.

11 A. And to seize property.

12 Q. Now, do you believe that -- do you believe that  
13 I guess the sergeant was acting on his own accord to  
14 request your identification or to place you under arrest  
15 or was that -- do you think that he was directed to do  
16 so by somebody else or some policy or of the city?

17 A. I know for a fact that Lieutenant Anderson told  
18 him to arrest me for failure to ID.

19 Q. Okay. And do you know if Lieutenant Anderson  
20 was following any type of policy or procedure of the  
21 City of Leon Valley?

22 A. Do I know? No. Is it my opinion? Yes,  
23 because it was an orchestrated effort by multiple  
24 officers with multiple people.

25 Q. Okay. So it was -- I guess how would that be a

1 city policy or procedure because it involved multiple  
2 officers and multiple people?

3 A. Because the city supervises the police  
4 department.

5 Q. Okay. So was it the actions of the police  
6 officers or was it the -- do you believe it was a  
7 directive that the city had or some type of policy that  
8 the city got?

9 A. The totality of the things, I don't know. The  
10 trespass was a city issue.

11 Q. Okay. And why do you say that?

12 A. Because Chief Salvaggio testified, if I recall  
13 correctly, at the TRO hearing, the fact that they had  
14 preprinted forms that they commonly use, the city  
15 council members have made comment and are aware of it.  
16 All of these, yes, the city knows about it.

17 Q. Okay. So how do you know that the council  
18 members I guess knew about it or -- I guess that is my  
19 first question.

20 A. It has been discussed there in city council  
21 meetings.

22 Q. Is that before or after the event occurring?

23 A. I know after. I don't know about before. I  
24 was not watching city council meetings prior to becoming  
25 aware of what was going on in Leon Valley.

James Mead

January 11, 2022  
Page 157

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER; ET AL. )  
 )  
vs. ) CASE NO.  
 ) SA-18-CA-680-JKP-RBF  
 )  
CHIEF JOSEPH SALVAGGIO; ET )  
AL. )

REPORTER'S CERTIFICATE  
ORAL DEPOSITION OF JAMES MEAD

JANUARY 11, 2022

I, Sarah A. Prugh, Certified Shorthand Reporter in  
and for the State of Texas, hereby certify to the  
following:

That the witness, JAMES MEAD, was duly sworn and  
that the transcript of the deposition is a true record  
of the testimony given by the witness;

That the deposition transcript was duly submitted on  
1-21 to the witness or to the attorney for  
the witness for examination, signature, and return to me  
by 2-21.

That pursuant to information given to the deposition  
officer at the time said testimony was taken, the  
following includes all parties of record and the amount  
of time used by each party at the time of the  
deposition:

Mr. Adolfo Ruiz (3h45m)  
Attorney for Plaintiff

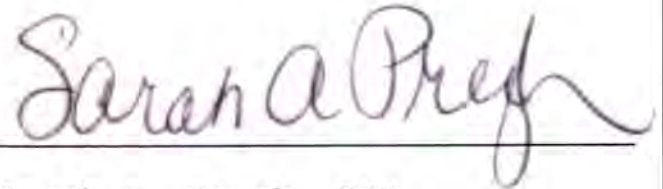
James Mead

January 11, 2022  
Page 158

1 Mr. Hector Saenz (0h22m)  
Attorney for Defendant  
2 Mr. Brandon J. Grable (0h24m)  
Attorney for Defendant  
3

4 I further certify that I am neither counsel for,  
5 related to, nor employed by any of the parties in the  
6 action in which this proceeding was taken, and further  
7 that I am not financially or otherwise interested in the  
8 outcome of this action.

9 Certified to by me on this 19th day of January,  
10 2022.

11   
12

13 Sarah A. Prugh, CSR  
14 Texas CSR 3972  
Expiration: 1/31/22  
15 Magna Legal Services  
Firm Registration Number 633  
16 16414 San Pedro, Suite 900  
San Antonio, Texas 78232  
210-697-3400  
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Juan Gonzales

January 06, 2022

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER, et al., )  
 )  
Plaintiffs, )  
 ) CIVIL ACTION  
VS. )  
 ) NO.: SA-18-CA-680-JKP-RBF  
CHIEF JOSEPH SALVAGGIO, et )  
al., )  
 )  
Defendants. )

-----  
ORAL AND VIDEOTAPED DEPOSITION OF JUAN GONZALES, JR.

JANUARY 6, 2022

(REPORTED REMOTELY)  
-----

ORAL AND VIDEOTAPED DEPOSITION OF JUAN GONZALES,  
JR., produced as a witness at the instance of the  
DEFENDANTS, and duly sworn, was taken in the  
above-styled and numbered cause on January 6, 2022, from  
2:07 p.m. to 6:05 p.m., before Marta M. Johnson, CSR No.  
10743, in and for the State of Texas, located in Boerne,  
Kendall County, Texas, reported by machine shorthand,  
the witness is attending from San Antonio, Texas,  
pursuant to the Federal Rules of Civil Procedure and the  
provisions stated on the record or attached hereto.

Exhibit  
S



REMOTE APPEARANCES

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ALSO PRESENT:

Jonathan Green  
Jason Green  
Kevin Egan  
Mark Brown  
James Springer  
Russell Zinter (Sasquatch)  
James E. Miller  
Jack E. Miller  
Greg Gardiner  
David Bailey  
GGM Paralegal - Grable Grimshaw Mora PLLC  
Margaret G. White - GGM  
Joelle Thomas - GGM Legal  
Assistant - Grable Grimshaw Mora PLLC

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1 you indicated that the -- the memory cards of each one  
2 were missing. Anything else that was missing?

3 A. No, that's all.

4 Q. Okay. Now, you indicated that -- that Officers  
5 Farias and -- and Mandry, I think those are the ones  
6 that you -- you mentioned, that -- that they seized your  
7 cameras in accordance with the policies of the City.  
8 And -- and I want to ask you, what city policies are you  
9 referring to?

10 A. I guess the -- the -- can you -- can you  
11 rephrase the question?

12 Q. Sure. Sure. Sure.

13 You said that -- that Officers Farias and  
14 Mandry were -- were acting in accordance with city  
15 policies when -- when they, I guess, took your equipment  
16 or -- or confiscated your equipment. I'm asking,  
17 what -- what city policy are you referring to?

18 A. I'm sorry, I just don't -- I just don't  
19 understand the question.

20 Q. Okay. You're -- you're suing the City and  
21 you're suing the police officers separate, I guess --  
22 you know, separate entities, so to speak. So you're  
23 saying that the City did something wrong, that the --  
24 that the officers, at least Farias and Mandry, were  
25 acting in accordance with a city policy. So I'm going

1 to ask you, what city policy are you referring to?

2 MR. GRABLE: Objection, form.

3 THE WITNESS: Well, I would say -- I would  
4 say the policy that they can do what they want. I mean,  
5 they're -- they're part of the City. They work for the  
6 City.

7 Q. (BY MR. RUIZ) All right. You indicated that  
8 the police officers can do anything that they want?

9 MR. GRABLE: Objection, form.

10 THE WITNESS: Well, it obviously seemed  
11 that way.

12 Q. (BY MR. RUIZ) Okay. And you said that they  
13 were employees for the City?

14 A. Correct.

15 MR. GRABLE: Objection.

16 Q. (BY MR. RUIZ) Now, why -- why do you think  
17 the -- the Leon Valley -- well, let me be a little more  
18 specific.

19 Why do you think the -- Officer Farias and  
20 Officer Mandry put handcuffs on you and detained you?  
21 Why do you think they did that?

22 A. Honestly, I don't know. I don't know what --  
23 what goes through their minds.

24 MR. RUIZ: Okay. I'm going to take a break  
25 here and let Hector ask you questions, sir, and -- while

Juan Gonzales

January 06, 2022  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER, et al., )  
)  
Plaintiffs, ) CIVIL ACTION  
)  
VS. ) NO.: SA-18-CA-680-JKP-RBF  
)  
)  
CHIEF JOSEPH SALVAGGIO, et )  
al., )  
)  
Defendants. )

REPORTER'S CERTIFICATION

DEPOSITION OF JUAN GONZALES, JR.

JANUARY 6, 2022

I, Marta M. Johnson, Certified Shorthand Reporter  
No. 10743, in and for the State of Texas, hereby certify  
to the following:

That the witness, JUAN GONZALES, JR., was duly  
sworn by the officer and that the transcript of the oral  
deposition is a true record of the testimony given by  
the witness;

That the deposition transcript was submitted on  
\_\_\_\_\_ to the witness or to the attorney  
for the witness for examination, signature and return to  
me by \_\_\_\_\_;

That the amount of time used by each party at the

1 deposition is as follows:

2 MR. BRANDON J. GRABLE, ESQ. - 00 HOURS:24 MINUTE(S)  
3 MR. ADOLFO RUIZ, ESQ. - 03 HOURS:10 MINUTE(S)  
4 MR. HECTOR X. SAENZ, ESQ. - 00 HOURS:24 MINUTE(S)

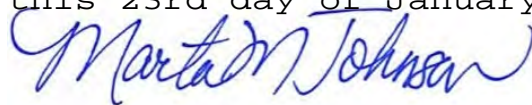
5 That pursuant to information given to the  
6 deposition officer at the time said testimony was taken,  
7 the following includes counsel for all parties of  
8 record:

9 MR. BRANDON J. GRABLE, ESQ., Attorney for Plaintiff  
10 MR. ADOLFO RUIZ, ESQ., Attorney for Defendants  
11 MR. HECTOR X. SAENZ, Attorney for Defendants

12 That \$\_\_\_\_\_ is the deposition officer's  
13 charges to the Defendants for preparing the original  
14 deposition transcript and any copies of exhibits;

15 I further certify that I am neither counsel for,  
16 related to, nor employed by any of the parties or  
17 attorneys in the action in which this proceeding was  
18 taken, and further that I am not financially or  
19 otherwise interested in the outcome of the action.

20 Certified to by me this 23rd day of January, 2022.



21 Marta M. Johnson, Texas CSR 10743  
22 Expiration Date: 10/31/22  
23 Firm Registration No. 633  
24 Magna Legal Services  
25 16414 San Pedro Avenue  
Suite 900  
San Antonio, Texas 78232  
210.697.3400 210.697.3408 fax





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FOR DEFENDANT:

Mr. Hector Saenz  
Law Offices of Charles S. Frigerio  
111 Soledad, Suite 840  
San Antonio, Texas 78205  
Telephone: 210-227-3243

ALSO PRESENT:

Ms. Joelle Thomas  
Ms. Margaret G. White  
Mr. Luis Vailente  
Ms. Carolyn Stritzke  
Ms. Marlena Guarjardo  
Mr. Jonathan Green  
Mr. Russell Zinter  
Mr. Mark Brown  
Mr. Dave Bailey  
Mr. Kevin Egan  
Mr. Juan Gonzales, Jr.  
Mr. Greg Gardiner  
Ms. Theresa Richard  
Mr. James Springer  
Mr. Jason Green  
Mr. Jack Miller  
Mr. Robert Morison, Zoom Facilitator

Russell Zinter

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1 Q. (By Mr. Ruiz) Now, okay. Why do you believe  
2 your phone was taken?

3 MR. GRABLE: Objection, form.

4 THE WITNESS: To stop me from recording.

5 Q. (By Mr. Ruiz) Did they -- did anybody I guess  
6 inform you or tell you that the -- that the phone  
7 contained evidence of the commission of a -- I guess of  
8 a crime or an alleged crime?

9 A. The only crime that I saw was that the police  
10 were falsely arresting people is the only crime I saw.

11 Q. Okay. But did anybody indicate to you that  
12 there was -- I guess whatever was on your phone was  
13 evidence of --

14 A. When I got my property receipt, the officer  
15 said it is being held as evidence.

16 Q. Okay.

17 A. And that was basically the only explanation I  
18 got from what I can remember.

19 Q. Okay. Now, do you believe that the police  
20 officer who seized your phone were following a City of  
21 Leon Valley policy or practice?

22 MR. GRABLE: Objection, form.

23 THE WITNESS: I don't know their policies.

24 Q. (By Mr. Ruiz) Okay.

25 A. But it sure seemed like they were being

1 directed to take everybody's phone.

2 Q. And who did you -- who do you think that gave  
3 that directive?

4 A. I believe --

5 MR. GRABLE: Objection, form.

6 THE WITNESS: I believe Chief Salvaggio  
7 did or Lieutenant Anderson. I am guessing but --

8 Q. (By Mr. Ruiz) Did you hear any command from  
9 anybody saying seize everybody's phone or words to that  
10 effect?

11 A. I am not sure. All I know is that they came up  
12 and grabbed mine for no reason.

13 Q. Okay. And the only reason they gave to you is  
14 when the officer brought you your receipt; is that  
15 correct?

16 A. To the best of my knowledge, yeah.

17 Q. After June 18, 2018, did you go back to Leon  
18 Valley on June 23rd?

19 A. I believe I did. I am not real sure but I  
20 think I did.

21 Q. Okay.

22 A. I stayed a couple of hours and I was wore out  
23 from all of the sun and all of that. So I think I went  
24 home before noon.

25 Q. Okay. Did at any time after June 18, 2018, did

RUSSELL ZINTER; ET AL. )  
 )  
vs. ) CASE NO.  
 ) SA-18-CA-680-JKP-RBF  
 )  
CHIEF JOSEPH SALVAGGIO; ET )  
AL. )

Mr. Adolfo Ruiz (1h9m)  
Attorney for Plaintiff



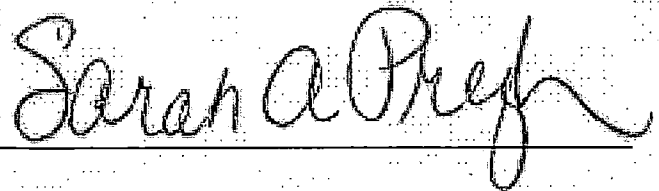
Russell Zinter

January 11, 2022  
Page 68

1 Mr. Hector Saenz (0h17m)  
Attorney for Defendant  
2 Mr. Brandon J. Grable (0h10m)  
Attorney for Defendant  
3

4 I further certify that I am neither counsel for,  
5 related to, nor employed by any of the parties in the  
6 action in which this proceeding was taken, and further  
7 that I am not financially or otherwise interested in the  
8 outcome of this action.

9 Certified to by me on this 19th day of January,  
10 2022.

11   
12

13 Sarah A. Prugh, CSR  
14 Texas CSR 3972  
Expiration: 1/31/22  
15 Magna Legal Services  
Firm Registration Number 633  
16 16414 San Pedro, Suite 900  
San Antonio, Texas 78232  
210-697-3400  
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Russell Zinter

January 11, 2022  
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Ms. Margaret G. White  
Mr. Luis Vailente  
Ms. Carolyn Stritzke  
Ms. Marlena Guarjardo  
Mr. Jonathan Green  
Mr. Russell Zinter  
Mr. Mark Brown  
Mr. Dave Bailey  
Mr. Kevin Egan  
Mr. Juan Gonzales, Jr.  
Mr. Greg Gardiner  
Ms. Theresa Richard  
Mr. James Springer  
Mr. Jason Green  
Mr. Jack Miller  
Mr. Robert Morison, Zoom Facilitator

**KTA**  
**KIM TINDALL & ASSOCIATES**

RE: Russell Zinter

January 28, 2022

Dear Client:

We are forwarding these documents to you as the custodial attorney in this matter. This transcript is being handled pursuant to the Federal Rules of Civil Procedure and we have copied all parties on the Changes and Signature page(s) with the attached Certificate of Deposition submitted by the deponent to our office.

The items marked refer to the attached documents.

\_\_\_\_\_ The Changes and Signature page(s) was returned to our office within the specified time limit; therefore, we are forwarding the original deposition transcript(s) and the Changes and Signature page(s) with the attached Certificate of Deposition to you as the custodial attorney in this matter for safekeeping. All parties will be copied on the Changes and Signature page(s).

\_\_\_\_\_ The deponent returned the Changes and Signature page(s) within the specified time limit, however, the Changes and Signature page(s) was inadvertently returned without the original transcript. All parties have been copied.

✓  
\_\_\_\_\_ The Changes and Signature page(s) was not returned to our office within the specified time limit; therefore, we are forwarding the original deposition transcript to you as the custodial attorney in this matter.

\_\_\_\_\_ The Changes and Signature page(s) was returned to our office unexecuted. We are forwarding the original deposition transcript to you as the custodial attorney in this matter.

\_\_\_\_\_ The deponent returned the Changes and Signature page(s) enclosed after the specified time limit. All parties have been copied as a courtesy.

\_\_\_\_\_ This is to notify you that the examination and signature was not requested by the deponent and/or a party before the completion of the deposition; therefore, signature is waived pursuant to the Federal Rules of Civil Procedures. All parties have been copied via e-mail.

\_\_\_\_\_ A copy of the Changes and Signature page(s) was previously returned within the specified time limit. We are now in receipt of the Original Deposition Transcript and/or Changes and Signature page(s); therefore, we are returning it to you as the Custodial attorney in this matter for safekeeping.

\_\_\_\_\_ Amended.

Should you have any questions or concerns, please feel free to contact our office.

Sincerely,

KTA Certs Department

[Certs@KTandA.COM](mailto:Certs@KTandA.COM)

Nancy Renfroe – Department Manager

Kim Tindall & Associates, LLC  
16414 San Pedro Avenue, Suite 900, San Antonio, Texas 78232  
Phone: 866.672.7880 Fax: 210.697.3408



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Marlena Guajardo  
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Carolyn Stritzke  
Jonathan Green  
Juan Gonzalez Jr.  
Kevin Egan  
Mark Brown  
James Springer  
Russell Zinter  
Jack Miller

Jason Green

January 10, 2022

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1 Greg Gardiner  
2 Dave Bailey  
3 Theresa Richard  
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## I N D E X

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DEPONENT: JASON GREEN

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No. Description

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No exhibits marked.

1 city policy -- well, let me try to rephrase just to make  
2 it understandable?

3 A. Yeah. I was like, yeah. I'm going to have to  
4 ask him to rephrase that one.

5 Q. It's a -- well, what -- well, with regard --  
6 you indicate that the city violated your First Amendment  
7 right because they -- I'm sorry. The city retaliated  
8 against you for practicing your First Amendment right.

9 So what policy or practice can you point to  
10 that says, You did this policy, practice, or custom  
11 which resulted in a retaliation of my First Amendment  
12 rights?

13 MR. REYNA: Objection, form. You can  
14 answer.

15 THE WITNESS: First off, I never said they  
16 retaliated against me. I said they illegally arrested  
17 me.

18 BY MR. RUIZ:

19 Q. Okay.

20 A. And as far as a policy goes, you would have to  
21 ask them. I don't know Leon Valley's policies. I know  
22 what I did was legal, and they arrested me.

23 Q. Do you recall any the -- the officer's names  
24 that -- that you -- that you encountered concerning  
25 the -- the actions that were asserted -- you're --

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF TEXAS  
3 SAN ANTONIO DIVISION

4 RUSSELL ZINTER; ET AL, )  
5 Plaintiffs, )  
6 v. ) CIVIL NO. SA-18-CA-680-JKP-RBF  
7 CHIEF JOSEPH )  
8 SALVAGGIO; ET AL, )  
9 Defendants. )

10 REPORTER'S CERTIFICATE  
11

12 I, Dacaree Jacobson, a Certified Shorthand Reporter  
13 in and for the State of Texas, do hereby certify that  
14 there came before me on the 10th day of January, 2022,  
15 at 9:42 a.m., JASON GREEN, who was duly sworn by me to  
16 testify the truth of his knowledge of the matters in  
17 controversy in this cause, and that he was thereupon  
18 examined and the examination reduced to writing by my  
19 hand; that to the best of my ability the deposition is a  
20 true and correct copy on the testimony given by the  
21 witness.

22 I further certify that I am neither attorney nor  
23 counsel for nor related to or employed by any of the  
24 parties to the action in which this deposition is taken,  
25 and further that I am not a relative or employee of any

Jason Green

January 10, 2022  
Page 147

1 attorney or counsel employed by the parties hereto, or  
2 financially interested in the action.

3 Certified to this on \_\_\_\_\_, 2022.

4 

5 Dacaree Jacobson, CSR 9466  
6 Expiration 05/31/22

7  
8 Firm Registration No. 633  
9 Magna Legal Services  
10 16414 San Pedro, Suite 900  
11 San Antonio, Texas 78232  
12 Phone 866.672.7880  
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Greg Gardiner

January 05, 2022

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UNITED STATES DISTRICT COURT  
DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER, ET AL.,  
Plaintiffs,  
vs.  
CHIEF JOSEPH SALVAGGIO,  
ET AL.,  
Defendants

(  
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(CIVIL NO.  
(SA-18-CA-680-JKP-RBF  
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REMOTE ORAL DEPOSITION OF  
GREG GARDINER  
JANUARY 5TH, 2022

\*\*\*\*\*

REMOTE ORAL DEPOSITION of GREG GARDINER, produced as  
witness at the instance of the Defendant City of Leon  
Valley, and duly sworn, was taken in the above-styled  
and numbered cause on the 5th of January, 2022, from  
9:09 a.m. to 12:58 p.m., remotely via videoconference,  
before Stephanie McClure Lopez, CSR, in and for the  
State of Texas, reported by machine shorthand, at  
@location, Texas, pursuant to the Federal Rules of Civil  
Procedure, and the provisions stated on the record or  
attached hereto.

Exhibit  
V

A P P E A R A N C E S

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Facsimile: 210.225.4481  
Email: aruiz@rampagelaw.com

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Telephone: 210.271.7877  
Facsimile: 210.271.0602  
Email: HXS@FrigerioLawFirm.com

ALSO PRESENT: (appeared throughout deposition)

Mr. Robert Morison  
Ms. Margaret G. White  
Mr. Joelle Thomas  
Mr. David Bailey  
Mr. Kevin Egan  
Mr. Juan Gonzales Jr.  
Mr. Mark Brown  
Mr. Jonathan Green  
Mr. Jason Green

(All attendees appeared via remote means.)



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13	EXHIBITS		
14	NO.	DESCRIPTION	PAGE
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17	3	Email string (Plaintiffs 000377)	86
18	4	Email string (Plaintiffs 000378-9)	86

1 around the corner to the water company --

2 Q. Uh-huh.

3 A. -- I'm thinking five -- five minutes.

4 Q. Okay.

5 A. It wasn't long at all. It didn't take long to  
6 go in there. It was just kind of this is -- this is --  
7 just didn't feel right.

8 Q. Okay. Now, you mentioned on several occasions  
9 that -- that -- the government policies. You mean the  
10 policies of the State of Texas, the policies of the City  
11 of Leon Valley? What policies are you referring to?

12 A. The policies of Leon Valley.

13 Q. Okay. And what -- now, what -- can you tell me  
14 what those policies are?

15 A. I have no idea. Whatever policies that -- that  
16 allow their employees, specifically the police officers  
17 to violent people's rights, those policies.

18 Q. Okay. But -- so, how do you know that there's  
19 policies that allow the city employees to violate other  
20 people's rights?

21 A. It's just -- there may not be a policy but  
22 the -- there -- you would think there would be a policy  
23 in place that would have -- when employees of the city,  
24 specifically the police, start violating rights, there  
25 would be a policy in place that would tell them, "Hey,

1 what are you guys doing? You can't do that. They're  
2 not doing anything wrong." You would think there would  
3 be a policy in place that would address things like that  
4 and if there's not a policy, then whatever.

5                   My -- I'm just saying my perceived idea of  
6 policies because surely the City of Leon Valley don't  
7 give their employees, specifically the police, carte  
8 blanche to do anything they want without any  
9 repercussions. I don't know if any city operates like  
10 that.

11           Q.    Okay. So -- so, are you indicating that -- you  
12 know, that there may not be any city policies but these  
13 actions happened anyway?

14           A.    It was my belief the actions happened. Whether  
15 there's a policy in place or not, I -- I -- I couldn't  
16 tell you; but you would think -- in my mind, you would  
17 think any city would have a policy in place that  
18 addresses conduct of their employees with people, just  
19 people who aren't employees of the -- the city.

20           Q.    Okay. So, let's talk about June 23rd, the next  
21 day.

22           A.    Yes, sir.

23           Q.    Did you -- I guess you spent the night in San  
24 Antonio. Then you went to the City of Leon Valley city  
25 hall?

Greg Gardiner

January 05, 2022  
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1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF TEXAS  
3 SAN ANTONIO DIVISION

3 RUSSELL ZINTER, ET AL., (

4 Plaintiffs, (

5 vs. (CIVIL NO.

6 CHIEF JOSEPH SALVAGGIO, (

7 ET AL., (

8 Defendants (

9 SA-18-CA-680-JKP-RBF

8 REPORTER CERTIFICATION  
9 GREG GARDINER  
10 TAKEN ON JANUARY 5TH, 2022

10 I, Stephanie McClure Lopez, Certified Shorthand  
11 Reporter in and for the State of Texas, hereby certify  
12 pursuant to the Rules and/or agreement of the parties  
13 present to the following:

12 That this deposition transcript is a true record  
13 of the testimony given by the witness named herein,  
14 after said witness was duly sworn or affirmed by me.

14 The witness \_\_\_x\_\_\_ was/ \_\_\_\_\_ was not  
15 requested to review the deposition.

15 I further certify that I am neither attorney nor  
16 counsel for, related to, nor employed by any of the  
17 parties to the action in which this testimony was taken.  
18 Further, I am not a relative nor employee of any  
19 attorney of record in this cause, nor do I have a  
20 financial interest in this action.

18 SUBSCRIBED AND SWORN to on this the \_\_\_\_\_  
19 day of \_\_\_\_\_, 2022.



20 STEPHANIE MCCLURE LOPEZ, CSR  
21 Texas CSR 3483; Expiration: 7/31/22  
22 Magna Legal Services  
23 JBCC Firm Registration No. 633  
24 16414 San Pedro Avenue, Suite 900  
25 San Antonio, Texas 78232  
Telephone: 210.697.3400  
Facsimile: 210.697.3408

Jonathan Green

January 07, 2022

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER; ET AL., )  
Plaintiffs, )  
 ) CIVIL NO.  
 ) SA-18-CA-680-JKP-RBF  
vs. )  
 )  
CHIEF JOSEPH SALVAGGIO; ET AL., )  
Defendants. )

\*\*\*\*\*

ORAL DEPOSITION OF

JONATHAN GREEN

January 7, 2022

(Reported Remotely)

\*\*\*\*\*

ORAL DEPOSITION of JONATHAN GREEN, produced as a witness at the instance of the Defendant, and duly sworn, was taken in the above-styled and numbered cause on the 7TH day of January, 2022, from 9:03 A.M. to 2:22 P.M., before Christy Nowotny, CSR, CVR-CM in and for the State of Texas, reported by stenographic means, remotely via Zoom video teleconference, pursuant to the Texas Rules of Civil Procedure and the provisions stated on the record or attached hereto.

Exhibit  
W

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FOR DEFENDANT:

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MR. ROBERT MORISON, KTA VIDEO HOST

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1 you, that you were -- you were put in custody and  
2 put in handcuffs? You know, why you and not someone  
3 else? Well, not someone else, but, you know, why --  
4 what do you think that you were doing that would  
5 cause such a reaction from -- from officer -- from  
6 Chief Salvaggio?

7 MR. GRABLE: Objection; form.

8 A. Honestly, I don't know what I could've been doing to  
9 cause such a reaction from twice fired former Police Chief  
10 Salvaggio. Again, you'd have to ask him. I -- I can't  
11 speculate as to why they chose to do this to me. I can only  
12 tell you this is what they've done to me.

13 Q. (By Mr. Ruiz) Okay. Do you -- do you  
14 know if there was a city policy, a practice, or a  
15 custom to -- to detain you and -- and -- and put  
16 handcuffs on you? Do you -- do you believe there  
17 was some type of city policy that -- that allowed  
18 the officers to do that?

19 A. I don't know of specific policies. I can only assume  
20 that the Chief was acting in accordance with such policies,  
21 and, yeah, I -- I can't answer that. I don't know.

22 Q. Okay.

23 A. All I know is that Chief Salvaggio were -- was giving  
24 orders, and his officers were following them.

25 Q. Uhm, and when -- and I -- I think we may have touched

REPORTER'S CERTIFICATION  
DEPOSITION OF JONATHAN GREEN  
JANUARY 7, 2022

I, Christy Nowotny, Certified Shorthand Reporter in and for the State of Texas, hereby certify to the following:

That the witness, JONATHAN GREEN, was duly sworn by the officer and that the transcript of the oral deposition is a true record of the testimony given by the witness's;

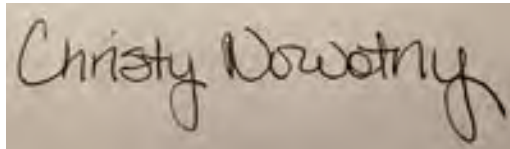
I further certify that pursuant to FRCP Rule 30 (f) (1) that the signature of the deponent:

  X   was requested by the deponent or a party before the completion of the deposition and that the signature is to be before any notary public and returned within 30 days from the date of receipt of the transcript. If returned, the attached Changes and Signature Page contains any changes and the reasons therefor;

       was not requested by the deponent or a party before the completion of the deposition.

I further certify that I am neither counsel for, related to, nor employed by any of the parties or attorney in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of the action.

Certified to by me this 7th day of January,  
2022.

A handwritten signature in black ink that reads "Christy Nowotny". The signature is written in a cursive, flowing style.

Christy Nowotny, Texas CSR (11536), CVR-CM  
Expiration Date: 03-31-22

Theresa Richard

January 07, 2022

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER; ET AL., )  
Plaintiffs, )  
 ) CIVIL NO.  
 ) SA-18-CA-680-JKP-RBF  
vs. )  
 )  
CHIEF JOSEPH SALVAGGIO; ET AL., )  
Defendants. )

\*\*\*\*\*

ORAL DEPOSITION OF

THERESA RICHARD

January 7, 2022

(Reported Remotely)

\*\*\*\*\*

ORAL DEPOSITION of THERESA RICHARD, produced as a witness at  
the instance of the Defendant, and duly sworn, was taken in the  
above-styled and numbered cause on the 7TH day of January,  
2022, from 2:53 P.M. to 4:58 P.M., before Christy Nowotny, CSR,  
CVR-CM in and for the State of Texas, reported by stenographic  
means, remotely via Zoom video teleconference, pursuant to the  
Texas Rules of Civil Procedure and the provisions stated on the  
record or attached hereto.

Exhibit  
X

A P P E A R A N C E S

FOR PLAINTIFF:

MR. BRANDON J. GRABLE AND MR. AUSTIN REYNA  
GRABLE GRIMSHAW MORA, PLLC  
1603 Babcock Road, Suite 280  
San Antonio, Texas 78229  
(210)592-4655

FOR DEFENDANT:

MR. ADOLFO RUIZ  
DENTON NAVARRO ROCHA BERNAL & ZECH  
2517 North Main Avenue  
San Antonio, Texas 78212  
(210)227-3243

FOR DEFENDANT:

MR. HECTOR SAENZ  
LAW OFFICES OF CHARLES S. FRIGERIO  
111 Soledad, Suite 840  
San Antonio, Texas 78205  
(210)271-7877

1 THERE ALSO BEING PRESENT:

2 MR. JACK MILLER, PLAINTIFF

3 MR. RUSSELL ZINTER, PLAINTIFF

4 MR. MARK BROWN, PLAINTIFF

5 MR. JONATHAN GREEN, PLAINTIFF

6 MR. DAVE BAILEY, PLAINTIFF

7 MR. KEVIN EGAN, PLAINTIFF

8 MR. JUAN GONZALES, JR., PLAINTIFF

9 MR. GREG GARDINER, PLAINTIFF

10 MS. MARLENA GUAJARDO, RUIZ PARALEGAL

11 MS. JOELLE THOMAS, GRABLE PARALEGAL

12 MR. LUIS VALIENTE, RUIZ PARALEGAL

13 MR. ROBERT MORISON, KTA VIDEO HOST



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1 for so long. He had an issue with the heat, and he left in an  
2 ambulance.

3 Q. Okay. And he -- was he -- was he the older gentlemen  
4 that was there? Because I understand there was -- okay.

5 A. Yes, sir.

6 Q. All right. Now, is Mr. Egan from Louisiana, as well?

7 A. No.

8 Q. Okay. But you went with him to the -- the City of  
9 Leon Valley; is that correct?

10 A. Yes.

11 Q. Okay. So -- so, uhm, why do you think that your --  
12 your -- your camera was taken?

13 MR. GRABLE: Objection; form.

14 A. My camera was taken because the police chief doesn't  
15 realize that he can't do that. He's arrogant enough to think  
16 that he can just take things from people. That's why my camera  
17 was taken.

18 Q. (By Mr. Ruiz) Uhm, do you think that,  
19 uhm, I guess, the police chief or the officers --  
20 police officers were following a particular policy  
21 that the city had -- policy or practice or custom  
22 that the city had?

23 MR. GRABLE: Objection; form.

24 A. Insofar as the city is the police chief, yes.

25 Q. (By Mr. Ruiz) Well, if the city is not

1 the police chief?

2 MR. GRABLE: Objection; form.

3 A. The police chief represents the city. I don't see  
4 how he's not the city.

5 Q. (By Mr. Ruiz) Okay. Would you agree with  
6 me that -- that the police chief is an employee of  
7 the city?

8 MR. GRABLE: Objection; form.

9 A. I would agree.

10 Q. (By Mr. Ruiz) Okay.

11 A. I would agree he's an employee.

12 Q. Now, had -- do you still look at -- I guess is your  
13 YouTube site still active, showing its previous police  
14 encounters with individuals, that -- that you guess you wrote  
15 it up and available on your YouTube account?

16 A. My YouTube account is still active. Is -- is that  
17 what you mean?

18 Q. Yes.

19 A. Yes, all of the YouTube accounts are active.

20 Q. Okay. And they still have the videos that you posted  
21 that are still on there?

22 A. Yes.

23 Q. Okay. Do you -- do you still get hits on your video  
24 from -- from -- yeah, do you still get hits on your video  
25 where -- where you get income from -- from the hits that you

REPORTER'S CERTIFICATION  
DEPOSITION OF THERESA RICHARD  
JANUARY 7, 2022

I, Christy Nowotny, Certified Shorthand Reporter in and for the State of Texas, hereby certify to the following:

That the witness, THERESA RICHARD, was duly sworn by the officer and that the transcript of the oral deposition is a true record of the testimony given by the witness's;

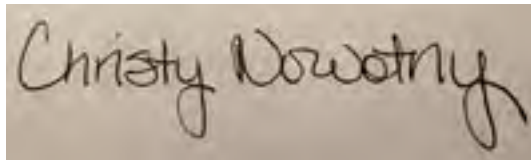
I further certify that pursuant to FRCP Rule 30 (f) (1) that the signature of the deponent:

  X   was requested by the deponent or a party before the completion of the deposition and that the signature is to be before any notary public and returned within 30 days from the date of receipt of the transcript. If returned, the attached Changes and Signature Page contains any changes and the reasons therefor;

       was not requested by the deponent or a party before the completion of the deposition.

I further certify that I am neither counsel for, related to, nor employed by any of the parties or attorney in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of the action.

Certified to by me this 7th day of January,  
2022.

A photograph of a handwritten signature in black ink on a light-colored background. The signature reads "Christy Nowotny" in a cursive script.

Christy Nowotny, Texas CSR (11536), CVR-CM  
Expiration Date: 03-31-22

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**RUSSELL ZINTER; ET AL.**  
**Plaintiffs,**

**v.**

**CHIEF JOSEPH SALVAGGIO; ET AL.**  
**Defendants.**

§  
§  
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§

**CIVIL NO. SA-18-CA-680-JKP-RBF**

---

**AFFIDAVIT OF CRYSTAL CALDERA**

---

STATE OF TEXAS       §  
                                  §  
COUNTY OF BEXAR    §

Before me, the undersigned notary, on this day personally appeared Crystal Caldera, a person whose identity is known to me. After being by me duly cautioned to tell the truth, subject to the penalties for perjury, she did affirm and testify as follows:

“My name is Crystal Caldera. I am over the age of eighteen (18) years, am of sound mind, and am fully capable of making this affidavit. I am personally familiar with facts recited below, which are true and correct.

Currently, I hold the position of City Manager for the City of Leon Valley, Texas. I have held the position of City Manager since January 16, 2022. I have held the position of Assistant City Manager since 2014.

The City Manager is the chief administrative and executive officer of the City and exercises supervision and control over the Chief of Police for the City of Leon Valley, a city employee position, pursuant to the City of Leon Valley Charter Sections 5.01, 5.02A (2), and 5.03. (“Charter”) and City of Leon Valley Code of Ordinances (“Code”) Sections 1.05.032 and 9.02.032. The Chief of Police serves at the pleasure of the City Manager whose appointment and removal must be confirmed by the City Council. In addition, Section 9.02.032 of the Code provides that the City Manager will be the appointing and removing authority for all other positions within the police department. Attached to my affidavit as **Exhibit Y1** is a copy of Sections 5.01, 5.02A (2) and 5.03 of the Charter.

The City of Leon Valley’s police department is a department within the City of Leon Valley. Among my duties as City Manager under Section 1.05.032 (5) of the Code, I exercise supervision and control over all departments now

Exhibit  
Y

created or to be created by the City Council, which includes the Chief of Police and the police department.

Although the police chief is the executive head of the police department, the City Manager directs and supervises the administration of all departments, offices, and agencies of the City, except as otherwise provided by the Charter or by law, and the City Manager promulgates all policies and procedures pertaining to the administration of personnel not otherwise set by the ordinance as set forth in Section 5.01C (2) of the Charter and Section 1.05.032 (4) of the Code. Attached hereto to my affidavit respectively as **Exhibits Y2 and Y3** are copies of Sections 1.05.032 and 9.02.032 of the Code.

The Police Chief is not considered a final policy maker under the Charter or the Code, because the police department and the Police Chief are subject to the control and supervision of the City Manager. The Police Chief's position in the City's organizational chart is below the City Manager and City Council. Attached hereto to my affidavit as **Exhibits Y4 and Y5** are copies of City's organizational charts for 2018 and 2022.

In my capacity as City Manager, I serve as a Custodian of Records for the City of Leon Valley. Of those records, attached hereto is a true and correct copy of eight (8) pages of documents reflecting:

**Exhibit Y1:** Copy of Sections 5.01, 5.02A (2) and 5.03 of the Charter.

**Exhibit Y2:** Copy of Sections 1.05.032 of the Code of Ordinances.

**Exhibit Y3:** Copy of Section 9.02.032 of the Code of Ordinances.

**Exhibit Y4:** Copy of City of Leon Valley's 2018 Organizational Chart.

**Exhibit Y5:** Copy of City of Leon Valley's 2022 Organizational Chart.

The attached above-referenced documents are kept by my department in the regular course of business, and it was in the regular course of business and activity of the City of Leon Valley for an employee of City, with knowledge of the act and contains information transmitted by the person with knowledge of the matters of the event, condition, opinion, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time of the occurrence of the matters set forth in the documents and was made by the regularly conducted activity as a usual practice for the City. The records attached are exact duplicates of the originals which are true and correct.

In my capacity as City Manager, I also serve as a Custodian of Records for the City of Leon Valley Police Department. Of those records, are a true and correct copy of five (5) body camera videos on a compact disc and/or flash drive of a digital recording reflecting:

**Exhibit B:** Video recording entitled, 1259@201806141352330, Urdiales Bodycam taken on June 14, 2018 {COLV 00014}.

**Exhibit F:** Video recording entitled, 1176@201806141352260 Vasquez. Bodycam taken on June 14, 2018 {COLV 00006}.


**Exhibit G:** Video recording entitled, 1184@20180614141351070 Azar Bodycam taken on June 14, 2018 {COLV 00009}.

**Exhibit H:** Video recording entitled, 2030@201806141600030 Yarbrough. Bodycam taken on June 14, 2018 {COLV 00013}.

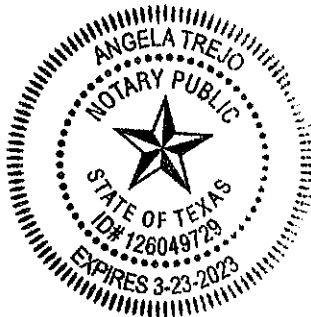
**Exhibit J:** Video recording entitled, 1056@201806181341390 Farias. Body camera taken on June 18, 2018 {COLV 00026}.


The attached above-referenced digital footage from the body cameras are kept by the City of Leon Valley's police department in the regular course of business, and it was in the regular course of business and activity of the City of Leon Valley for an employee of the City, with knowledge of the act and contains information transmitted by the person with knowledge of the matters of the event, condition, opinion, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time of the occurrence of the matters set forth in the digital footage and was made by the regularly conducted activity as a usual practice for the City's police department. The video footage records attached are exact duplicates of the originals which are true and correct.

Further Affiant sayeth not.

  
\_\_\_\_\_  
Crystal Caldera  
City Manager  
City of Leon Valley, Texas

SUBSCRIBED AND SWORN TO BEFORE ME on this 24 day of February, 2022, to certify which witness my hand and official seal.



  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS



**Section 5.01 City Manager**

- A. **Appointment and Qualifications**. The City Council shall appoint a City Manager who shall be the chief administrative and executive officer of the City and shall be responsible to the City Council for the administration of all the affairs of the City. The City Manager shall be chosen by the City Council solely **on the basis of the City Manager's executive and administrative training, experience and ability.**
- B. **Term and Compensation**. The City Manager shall be appointed for a definite term upon the affirmative vote of two-thirds (2/3) of the City Council, and may be removed at the discretion of the City Council by an affirmative vote of two-thirds (2/3) of the City Council. The action of the City Council in suspending or removing the City Manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the City Council. The City Manager shall receive compensation as may be fixed by an affirmative vote of two-thirds (2/3) of the City Council.
- C. **Powers and Duties**. The City Manager shall have the following powers and duties:
1. The City Manager shall appoint and, when the City Manager deems it necessary for the good of the City, may suspend or remove any City employee except as otherwise provided by law, this Charter, or personnel rules adopted pursuant to this Charter. The City Manager may authorize any employee **who is subject to the City Manager's direction and supervision** to exercise these powers with respect to **subordinates in that employee's department, office or agency;**
  2. The City Manager shall direct and supervise the administration of all departments, offices, and agencies of the City, except as otherwise provided by this Charter or by law;
  3. The City Manager shall attend all City Council meetings, except when excused by the Mayor or Mayor Pro-Tem, and shall have the right to take part in discussion but may not vote;
  4. The City Manager shall see that all laws, provisions of this Charter and acts of the City Council, **subject to enforcement by the City Manager or by those subject to the City Manager's direction and supervision,** are faithfully executed;
  5. The City Manager shall make such reports as the City Council may require concerning the **operations of the City departments, offices and agencies subject to the City Manager's direction and supervision;**
  6. The City Manager shall keep the City Council fully advised as to the financial condition and future needs of the City and make such recommendations to the City Council concerning the affairs of the City as the City Manager deems desirable;
  7. The City Manager shall have the authority to execute on behalf of the City, standard form documents, including but not limited to deeds, releases of liens, rental agreements, easements, right-of-way agreements, joint use agreements, and other similar documents, under the following conditions:
    - a. The execution of the document is necessary to carry out a public works project; utilize, maintain or improve a City facility, street, right-of-way, easement, park or other City property, or to implement other

City policies; provided that such project, program or policy has been approved by the City Council;

b. That all blanks are filled in on any document correctly and that such document is consistent with the objectives approved by the City Council; and

c. That the form of such document shall be approved by the City Attorney.

8. The City Manager shall perform such other duties as are specified in this Charter or may be required by the City Council.

D. **Review.** The City Council shall perform a review of the City Manager's performance at least annually, but no more than twice in any fiscal year.

E. **Acting City Manager.** By letter filed with the City Secretary, the City Manager shall designate, subject to approval of the City Council, a qualified employee to exercise the powers and perform the **duties of City Manager during the City Manager's temporary** absence or disability. The City Council may revoke such designation at any time and appoint another individual to serve until the City Manager shall return or his/her disability shall cease.

## **Section 5.02 Other Departments, Offices, and Agencies**

### **A. General Provisions.**

1. **Creation of Departments.** The City Council may continue or establish City departments, offices or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices and agencies, except that no function assigned by this Charter to a particular department, office or agency may be discontinued or, unless this Charter specifically so provides, assigned to another department.
2. **Direction by City Manager.** All departments, offices and agencies under the direction and supervision of the City Manager shall be administered by an employee appointed by and subject to the direction and supervision of the City Manager.

B. **City Attorney.** The City Attorney shall be appointed by the City Manager with the approval of the City Council. He or she shall report to the City Manager and may be removed from office by the City Manager with approval of the City Council.

C. **Municipal Court; Judge(s).** The City Council shall establish a municipal court. The Mayor shall appoint a licensed attorney of the State of Texas as presiding judge(s) and any such other licensed attorneys of the State of Texas as associate judge(s) as are deemed necessary and the appointment shall be subject to confirmation by the City Council. The judge(s) of the municipal court shall serve a term of two years to run concurrently with the term of Office of the Mayor. The presiding judge and any associate judge may be removed by an affirmative vote of two-thirds (2/3) of the City Council.

D. **City Secretary.** The City Manager shall appoint a City Secretary whose duties and obligations shall be determined and supervised by the City Manager.

**Section 5.03 Personnel Rules**

The City Manager shall be responsible for the preparation of personnel rules. Such rules shall be submitted by the City Manager to the City Council. The City Council may accept and adopt such rules as proposed or may adopt them with amendments.

**Sec. 1.05.032 Powers and duties**

The powers and duties of the city manager shall be as follows:

- (1) To devote all of his working time and attention to the affairs of the city, and be responsible to the council for the efficient administration of its affairs;
- (2) To see that all laws and ordinances are enforced;
- (3) To receive all bid proposals on contract work to be done in the city, bids to be opened on instruction from the council;
- (4) To promulgate all policies and procedures pertaining to the administration of personnel not otherwise set by ordinance;
- (5) To exercise supervision and control over all departments created by the council or that may hereafter be created;
- (6) To attend all meetings of the council with the right to take part in the discussion, but having no vote, and he shall be notified of all special meetings of the council;
- (7) To see that all terms and conditions imposed in favor of the city, or its inhabitants, in any utility franchise, are faithfully kept and performed, and upon knowledge of any violation thereof to call the same to the attention of the council;
- (8) To act as budget officer and as such to prepare and submit to the council, prior to the beginning of each fiscal year, a budget of proposed expenditures for the ensuing year, showing in as much detail as practicable the estimated amounts required for the efficient operation of each department of the city and the reasons for such estimated expenditures;
- (9) The city manager, in addition to the foregoing, shall make and file a budget as required by state law;
- (10) **To make a full written report to the council as soon after the close of each month's accounts as possible, showing the operation and expenditures of each department of the preceding month, with the monthly allowances made for such departments in the annual budget, and to keep the council fully advised at all times as to the financial condition and needs of the city;**
- (11) To act as, or designate, a purchasing agent for the city to purchase all needed merchandise, material and supplies, and to establish, if needed, a suitable storehouse where such supplies may be kept and from which same may be issued as needed; and to adopt such rules and regulations governing requisitions and transaction of business between himself as such purchasing agent and the heads of the departments, officers and employees of the city as the council may approve.

(1972 Code, sec. 2.202; 2008 Code, sec. 1.05.032)

**Sec. 9.02.033 Powers of police officers**

The police officers appointed pursuant hereto shall have all of the powers, rights and authorities vested in police officers and conferred by Texas Local Government Code, chapter 341, Municipal Law Enforcement, as well as those conferred by articles 2.12 and 2.13 of the Code of Criminal Procedure, or as otherwise provided by state law. (Ordinance 06-043 adopted 10/3/06; 2008 Code, sec. 9.03.004)

Exhibit  
Y-3





# City of Leon Valley Organizational Chart

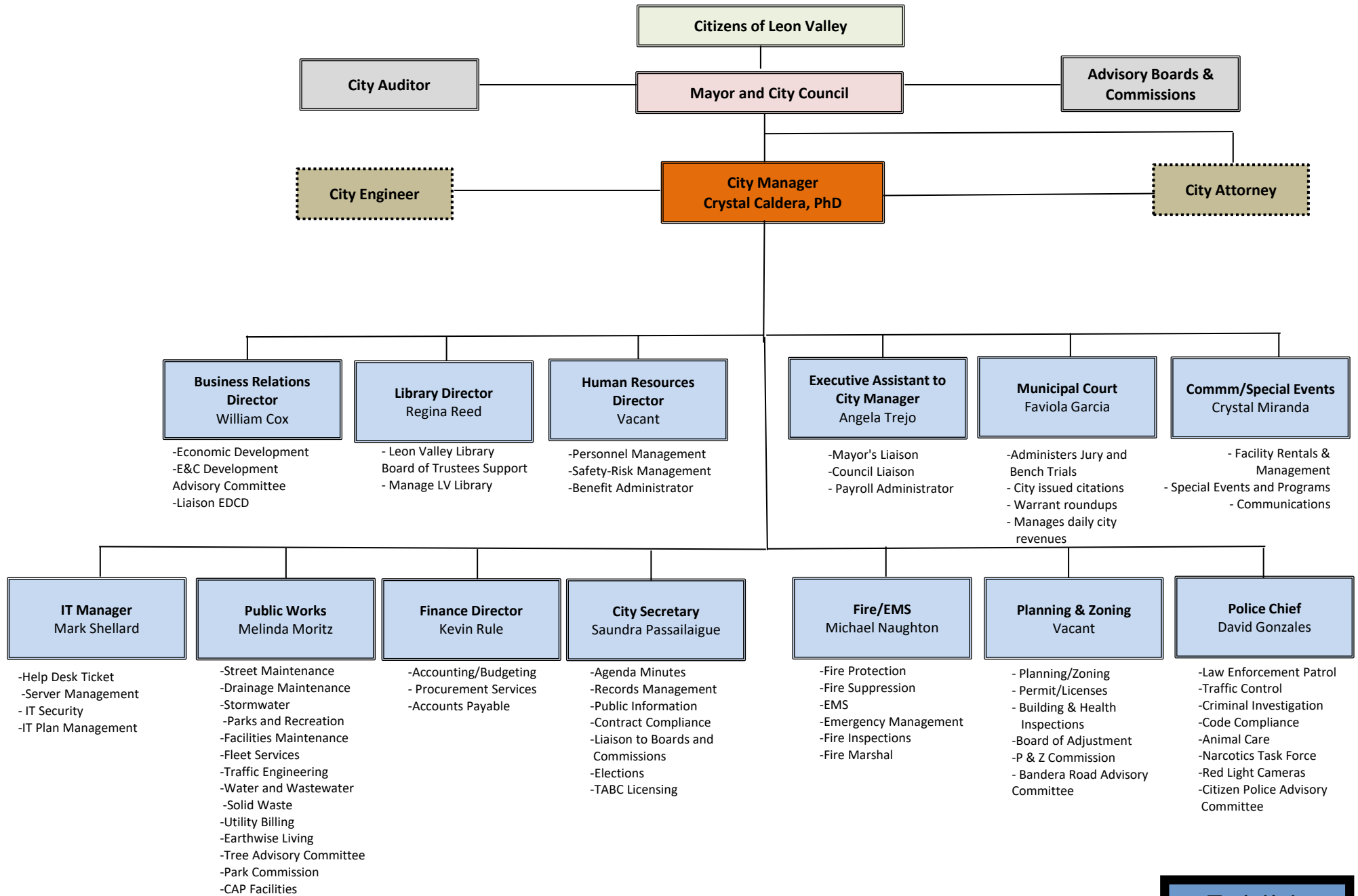


Exhibit  
Y-5

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUSSELL ZINTER; ET AL.

Plaintiffs,

v.

CHIEF JOSEPH SALVAGGIO; ET AL.

Defendants.

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CIVIL NO. SA-18-CA-680-JKP-RBF

---

AFFIDAVIT OF CRAIG R. MILLER

---

STATE OF NEW MEXICO

§  
§  
§

COUNTY OF LEA

On this day appeared CRAIG R. MILLER, who is personally known to me, and after being duly sworn, deposed and said as follows:

My name is CRAIG R. MILLER, I am self-employed. I am over the age of eighteen (18) years and have never been convicted of a felony or a crime of moral turpitude. I am of sound mind, and fully competent to make this affidavit. I have personal knowledge of the facts stated in this affidavit, and they are true and correct.

1. I am a consultant and subject matter expert in law enforcement in civil and criminal litigation in federal and state courts. A true and correct copy of my C.V., which more fully describes my educational and professional background (DEFT COLV 11270-11296) is in my expert report attached to my affidavit as **Exhibit "Z-1"**. I have personal knowledge of the facts stated in my C.V. and they are true and correct.

2. I was retained by the Law Firm of Denton, Navarro, Rocha, Bernal, Zech in the matter of *Russell Zinter et al. v. City of Leon Valley et al.*, in the Western District of Texas, San Antonio Division, Civil No. SA-18-CA-680-JKP-RBF to opine based upon my experience, education, and training, on the allegations made by plaintiffs against the City of Leon Valley. I based the opinions expressed in **Exhibit "Z-1"** on review of the materials, documents and information enumerated in items 1-15 at DEFT COLV 11254 of my report; my experience; education and training in the law enforcement field; and specifically on my experience, education and training related to police procedures.

4. It is my opinion, base on the totality of the material reviewed and the facts and opinions as set forth in my report attached to my affidavit as **Exhibit "Z-1"** are as follows:

1. The Leon Valley Police officers involved in the June 14<sup>th</sup>, 18<sup>th</sup>, and 23<sup>rd</sup> 2018 demonstrations received sufficient adequate training.
2. The Texas Penal Code provided clear offense guidelines for the Leon Valley Police Department Officers for the offenses that occurred.
3. The Leon Valley Police officers, including Officer Vasquez, received proper training on the use of the TASER.
4. The Leon Valley Police Department provides specific guidelines on when officers can use force.

  
CRAIG R. MILLER

SUBSCRIBED AND SWORN TO BEFORE me by CRAIG R. MILLER on the 24 day of February 2022 to certify which witness my hand and official seal.

Jessica Olivas  
Notary Public in and for the State of NEW MEXICO



Official Seal  
Jessica Olivas  
Notary Public  
State of New Mexico

My Commission Expires: 09/29/2025

November 22, 2021

Adolfo Ruiz  
Denton Navarro Rocha Bernal & Zech, P.C.  
2517 N. Main Ave.  
San Antonio, Texas 78212

Expert Witness for the Defendant (City of Leon Valley)

RUSSELL ZINTER;  
JACK MILLER;  
BRIAN HOWD;  
JAMES A. MEAD;  
JOSEPH BRANDON PIERCE;  
MARK BROWN;  
DAVID BAILEY;  
JUAN GONZALES JR;  
KEVIN EGAN;  
JONATHAN GREEN;  
JAMES SPRINGER;  
GREG GARDINER;  
SELENA HERRARA;  
JASON GREEN;  
THERESA C. RICHARD  
*Plaintiffs*

v.

CIVIL ACTION NO. 5:18-CV-680

CHIEF JOSEPH SALVAGGIO;  
LIEUTENANT DAVID ANDERSON;  
DEPUTY JANE DOE GOLDMAN;  
OFFICER JOHNNY VASQUEZ;  
CPL. CHAD MANDRY;  
DETECTIVE JIMMIE WELLS;  
CPL. LOUIS FARIAS;  
OFFICER UZIEL HERNANDEZ;  
OFFICER YARBROUGH;  
OFFICER BRENTON;  
OFFICER AZAR;  
OFFICER URDIALES;  
OFFICER KING;  
OFFICER CASTRO;  
OFFICER TACQUARD;  
OFFICER RIVERA;

The CITY OF LEON VALLEY, a political  
Subdivision of the State of Texas  
NIKO LAHOOD in his official capacity as Bexar  
County District Attorney; and  
JOE GONZALES in his official capacity as Bexar County District Attorney  
*Defendants*

1. I have been retained by the law firm Denton Navarro Rocha Bernal & Zech, P.C. as an expert witness in the above civil action. I am therefore submitting the following information and accompanying documents and methodology in support of my opinions and conclusions in response to the request for me to review materials related to this case on the issues involved.

#### **BACKGROUND AND EXPERIENCE**

2. I retired March 2019 as the Chief of Police for the Dallas Independent School District Police Department with a workforce of 220 personnel. The department included sworn officers, security officers and police dispatch. Dallas ISD at the time of my employment was the 14<sup>th</sup> largest school district in the United States with a student population of 158,000. Additionally, there are 23,000 employees and 230 schools. I was the Dallas ISD Chief of Police from 2011 to 2019.

3. Prior to becoming the Dallas ISD Police Chief, I was employed by the Dallas Police Department (DPD) and served as the Deputy Chief of the Crimes Against Persons Division (CAPERS). In this assignment, I supervised 180 personnel with an operating budget of \$18.5 million. I was responsible for all criminal investigations involving murder, robbery, sexual assaults, assaults and the crime scene investigation function for 1.3 million people.

4. Before I was promoted to Deputy Chief, I was the Homicide Unit Commander. I directly oversaw 750 murder investigations, 300 suicides, 75 Officer Involved Shootings (OIS), Death in Custody incidents (DIC) and murder-for-hire investigations. As the Homicide Unit Commander, I also served as head of the Special Investigations Unit for the 9<sup>th</sup> largest police department in the United States.

5. I came to the Dallas Police Department in February 1982, after graduating from the University of Memphis with a Bachelor of Arts Degree in Criminal Justice. I worked my way through the Dallas Police Department ranks as a patrol officer, patrol sergeant, vice sergeant, patrol watch commander, narcotics unit commander, traffic division commander, bomb squad commander, and ultimately the homicide unit commander. During my first year as a sector sergeant in 1986, nine of the ten officers that I supervised were involved in officer involved shootings in which either a suspect or officer was injured or killed. As a result of the many hours of experience and training I received, I have a very firm understanding of police operations from both the officer's position as well as police management.

6. I am a graduate of the Southwest Legal Foundation Command Management Supervisors Course and the Law Enforcement Management Institute of Texas through Sam Houston State University New Police Chief Course. Additionally, I am a Master Texas Peace Officer with 37 years of experience, a TCOLE State Certified Instructor, and a Certified Analyst through Force Science Institute. I also have been a member of the International Association of Chiefs of Police (IACP), Police Executive Research Forum (PERF) and the Texas Police Chiefs Association.

7. I have technical, professional and other specialized knowledge that will assist in understanding the facts and issues of the incident in question. My education and extensive experience provides a deep understanding of how law enforcement officers are trained and operate. This knowledge is the key to reaching a reliable evaluation of law enforcement officers' conduct. I have conferred with many other law enforcement experts regarding police operations and evaluations thereof. The facts and data on which I base my opinions are of a type reasonably relied upon by experts in the field of law enforcement in forming opinions or inferences therefrom. I also have a firm understanding of the requirements under the Fourth Amendment for detention and arrest.

#### **DOCUMENTS REVIEWED FOR THIS ANALYSIS**

8. On November 8, 2021, the Defendant's counsel, Adolfo Ruiz, presented me with evidentiary documents for my review in preparation for opining on this case. He requested that I prepare a concise declaration outlining my basic opinions on this case. Those findings and opinions to date have been incorporated into this document.

9. It should be noted that before I agreed to be retained by the Defendant as an expert in this case, I insisted on conducting a preliminary review of key materials. These included the Defendant, City of Leon Valley's Responses to Plaintiffs' Motion for Preliminary Injunction, LVPD incident reports, LVPD body worn camera videos, and LVPD Operations Manual. I used these to determine whether I could ethically offer opinions supportive of the Defendant. I conducted such a review and agreed to be retained by the Defendant.

10. As is usually the case in investigations such as this, I am aware that there may be additional documents or other evidence that might subsequently become available during the discovery process. I may be asked to review these as they may assist me in developing more detailed findings and opinions. Therefore, I reserve the right to amend my findings and opinions at some later date based upon my ability to review any additional records and/or items of evidence that I might subsequently receive.

The documents I have reviewed to date are listed below:



1. Body Worn Camera (BWC) Video Item (00001)
2. BWC Video Items (00039, 00084, 00085, 00086, 00087, 00088)
3. Police Incident Reports from June 14, 2018
4. Police Incident Reports from June 18, 2018
5. Police Incident Reports from June 23, 2018
6. Captain Ruben Saucedo's Supplement Report, 06-23-2018
7. Detective Terry Brooks/R. Munoz Search Warrant Requests
8. Leon Valley Police Department Operations Manual
9. Leon Valley Police Department Use of Force Form (Mark Brown)
10. Plaintiffs Designation of Expert Witnesses
11. Second Amended Complaint and Jury Demand
12. Defendant, City of Leon Valley's Original Answer to Plaintiff's Second Amended Complaint
13. Defendant, City of Leon Valley's Response to Plaintiff's Motion for Preliminary injunction
14. TCOLE Training Records for: Joseph Salvaggio, David Anderson, Johnny Vasquez, Jr., Chad Mandry, Jimmie D. Wells, Louis A. Farias Jr., Brandon Evans, Uziel J. Hernandez Moreno, Clarence Yarbrough II, Jorge C. Breton, Jo Ann Azar, Joel Urdiales, Alex King, Benjamin Castro, Ronnie M. Tacquard and Erika Rivera
15. Thomas Tiderington Expert Report

### **Summary of The Incident**

11. On May 2, 2018, a group of protesters called the First Amendment Auditors, protested at the police headquarters of the Leon Valley Police Department. It is my opinion that the mission of this group and its members is to go into a police or government facility to create a confrontation with police as they live stream it on a recording device. On May 2, 2018 several of the protesters were arrested. It appears that the group returned to the Police Building with the intent to provoke a police response starting on June 14, 2018.

- **June 14, 2018**

12. During the daily patrol shift briefing Leon Valley Police Department (LVPD) officers were notified by the municipal court receptionist of a disturbance in the municipal court front lobby. Upon arrival, the officers observed Jesus Padilla standing on the front steps outside of the building with his cell phone in his hands. Mr. Padilla had previously been arrested for Criminal Trespass on city property and was issued a "No Trespass" warning by LVPD officers. As a result of that warning, Mr. Padilla was arrested by Sgt. Urdiales for violating the warning by trespassing again. As Mr. Padilla was being arrested, his companion, Mr. Mark Brown, stood nearby the arrest and appeared to the officers to be coming closer to the arrest in an attempt to video record the arrest. The LVPD police incident report written by Officer Vasquez states the following:

13. Note – AP is Mark Brown, SP is Jesus Padilla: “I then observed Detective J. Wells make contact with AP and repeatedly told him to put his hands behind his back. AP refused Detective Well’s command and continued filming SP’s arrest. Detective Wells then attempted to arrest AP, while still giving him commands to put his hands behind his back and stop resisting. I then assisted Detective Wells in giving the same commands to AP, to put his hands behind his back and to stop resisting. AP then began to pull away his arms and used his body weight (6’7” 230 lbs) to resist being subdued and arrested by police officers. Officer Farias made the scene and managed to place AP on the ground with AP falling on top of Officer Farias. While on the ground, the AP continued to pull his arms away and place them underneath himself. As officers continued to arrest AP, AP began to violently kick and thrash his body weight forcibly to prevent himself from being arrested. Due to multiple officers struggling to subdue and arrest AP, and it was unknown if AP was in possession of any weapons, I used my electronic control device (taser) and performed a drive stun on AP’s back side of his body, lower abdomen. As the electronic control device (taser) stopped after five seconds. AP continued to resist with officers so I re-applied the electronic control device (taser) drive stun and AP complied. AP then stated he couldn’t move, so Leon Valley EMS was called out and AP was placed in EMS unit accompanied by Officer Yarbrough. AP then transported to University Hospital.

14. AP was arrested for Interference with Public Duties, due to him being ordered repeatedly by Det. J. Wells and officers to move back while SP was being arrested. AP continued to disregard officers’ commands and interfered by video recording SP’s arrest within several feet of officers arresting SP, possibly resulting in injury to himself, SP or Officers. AP was also charged with resisting arrest due to him refusing to comply with officers’ repeated commands, and by using his body weight in a thrashing manner to prevent arrest.”<sup>1</sup>

15. All personal property belonging to Mr. Brown and Mr. Padilla (including video) were taken into possession by LVPD and placed into evidence related to the arrest. Additionally, a supervisor was on scene and police body camera video recorded the incident. A Police Use of Force Form was generated related to the taser being deployed on Mr. Brown by Officer Vasquez. Neither Mr. Padilla or Mr. Brown are residents of the Leon Valley community.

- **June 18, 2018**

16. On June 14, 2018, Leon Valley Judge Morales ordered that no weapons or video recording devices would be permitted in the Leon Valley Municipal Building. The Municipal Building houses the Municipal Court as well as the LVPD offices. In Judge Morales’ order, he stated that citizens are allowed to video tape the lobby from the outside the building, but the foyer leading into the lobby is be kept clear to allow entry into the lobby and court.

<sup>1</sup> LVPD #2011803857, Officer Vasquez

17. The Court Order was a result of recent disruptions to city and court operations by agitators belonging to the group called The First Amendment Auditors. These protestors had previously threatened the LVPD police chief, mayor and other city officials through on-line websites.

18. The LVPD Supplement #201803942, the following individuals are referred by these police characters:

AP1 – David Bailey  
SP1 - James Springer  
SP2 – James Mead  
W1 – Russell Zinter  
W2 – Joseph Pierce  
W3 – Maria Salazar  
W4 - Jesus Padilla  
W5 – Juan Gonzales

19. “At the above time and date, above AP1 and SP1, in accompany of above listed SP2 and WITNESSES, walked into the foyer of the municipal court/building and began video-taping activities inside the lobby. AP1 intentionally began blocking citizens, mainly W3, from attempting to enter the lobby by placing himself in their path. Officers asked AP1 several times to refrain from obstructing passage to the lobby and to relocate. AP1 refused and as he was being arrested by officers for Obstructing Passage, SP1 and the other agitators, including SP2, W1, W2 and W4 began video taping AP1’s arrest. Cpl. Farias #534 announced that subjects in possession of recording devices were subject to seizure and subsequent search. As Cpl. Farias #534 attempted to retrieve SP1’s recording device, SP1 backed away from officer and placed the recording device above his head and out of Cpl. Farias’ reach. Officer Azar #564, observing the SP1 refusing to comply with Cpl. Farias’ request, advised SP1 twice that he was refusing to comply with a lawful order and interfering with the duties of a public servant. SP1 refused to comply with officers and was arrested. SP1 initially claimed to be a member of the press but was unable to produce credentials upon request.

20. SP1 was arrested for P.C. 38.15 Interference with Public Duties for interfering with officers attempting to seize his recording devices used in video-taping AP1’s arrest, as per the Bexar County D.A.’s office. SP1’s recording device and accessories were seized and placed in the property room as evidence, pending application for search warrant. SP1 was transported to jail and his charge was rejected by the magistrate. Upon consultation with the D.A.’s Office and following their advice, SP1 is charged with Interference with Public Duties from the same incident.

21. The remaining WITNESSES (W1, W2, W4) and SP2 (listed above) cooperated by identifying themselves as witnesses and releasing their recording devices to officers.

They were issued property receipts, awaiting applications for search warrants of their recording devices.”<sup>2</sup>

22. Multiple police supervisors were on scene at the arrest on June 18, 2018, and multiple police body camera videos recorded the incident.

- **June 23, 2018**

23. On June 23, 2018, the previous demonstrations from May 2, June 14 and June 18 continued. The purpose for this demonstration appears to be to provoke LVPD into making arrests in order to record and live stream the events. The LVPD Incident Supplement #201804036 refers to the following individuals by these police characters:

AP1 – Bao-Quac Nyguen  
AP2 - James Springer  
AP3 – Joseph Pierce  
AP4 – Jason Green  
AP5 – Brian Howd  
SP1 – Jonathan Green  
SP2 - Aldo Hernandez  
SP3 – Gregory Gardiner  
SP4 – Josh Russell  
C – LVPD Chief of Police

24. The following incident report # 201804036 was completed by LVPD Officer Vasquez:

“On 23 June, 2018 at 1730 hours, this officer was at listed location during an anarchist demonstration which had escalated over the past two weeks. AP1 and AP2 were both in front of the Leon Valley Police Dept. protesting and both AP’s were streaming live the event in progress. During this live broadcast on YouTube channel C’s home address, personal identifying information and identifying information on C’s family, names, addresses were listed. This act incited viewers to make death threats against C and his family. AP1 and AP2 did nothing to delete or stop personal identifying information from being listed on the comments.

C1 stated himself and his family have come under death threat and physical harm and violence due to the publicly broadcasted information of C and his family on the internet media platform YouTube. Information included their names and addresses. The information was being posted by anarchist agitators in the chat group during live broadcasts as well as threats of stalking and causing physical violence.

<sup>2</sup> LVPD Investigative Supplement, Incident #201803942

This information was ultimately publicly broadcasted by AP1 and AP2 during their live streams and information left in the chat on their respective pages to be viewed by anyone on the page without interference from them. This action placed C in fear for his safety and life, as well as that of his family causing them to leave their home and find alternate housing since initial threat observed.

25. This act was committed by AP1 and AP2 for the retaliation of C1, as public servant as chief of Police for the City of Leon Valley acting in his official capacity. The posting of their addresses on YouTube by viewers of the live stream on, a publicly accessible site and channels operated by AP1 and AP2 with active moderators to control information displayed. Effort was shown deleting comments from viewers who are against their message or supporting police by the moderators as well as by AP1 and AP2 on their respective pages (channels). The posting of the messages brought on the threats of violence, serious bodily harm as well as death.

No effort was made to moderate those offensive posts or personal information. AP1 and AP2 belong to this anarchist group of agitators whose sole purpose is to incite a confrontation with police and interrupt emergency 911 operations as the agitators encourage viewers to flood 911 call center with frivolous calls. AP2 had posted a video to YouTube social media platform for a 'call to action.' This stemming from the arrests on 18 June, 2018, an organized gathering set for 22 June 2018 at 1200 hours. AP1 and AP2 continued their live streams hosted by both are monitored by both parties as seen during their broadcasts and the interaction with those typing on their respective channels. AP1 and AP2 had known moderators in the chat to delete comments which were contrary to beliefs and statements or pro law enforcement. Those names are seen in a different color font and a wrench next to the user name during chat.

The organized event was created to protest city government activity in the municipality. AP1 currently on bond from Crowley, Tx and unemployed, he had rented a vehicle to travel to Leon Valley for the organized anti government/anti police event. AP1 live streamed his travels and activity through YouTube Live Stream and uses for financial gains/donations from viewers.

At the time of arrest, I apprehended AP1 who was paced in handcuffs after the removal of the backpack and sign hanging from his neck. He was informed he was being charged with PC 36.06 Obstruction or Retaliation and taken into the Leon Valley Municipal Building for identification and processing. AP1 identity was confirmed and shown clear of any warrants. His Samsung Galaxy S8, Spigen Phone case and Zeadio mounted on Z Grip equipment frame was taken as evidence related to the offense.

AP2 was taken into custody by Off. Evans #552 for the offense PC 36.06 Obstruction or Retaliation for his YouTube channel (James Freeman) which was used to live stream the address and names of C1 and his family.

AP3 had been placed under arrest by Off. Vasquez #552 for Interference with Public Servant Duties followed by a citation for Failure to Identify. Details of event noted in attached supplement report by J. Vasquez #552.

AP4 was placed under arrest by Capt. R. Saucedo #543 for the offense of Interference with Public Servant followed by a Citation for Failure to Identify. Details of event noted in attached supplement report by Capt. R. Saucedo #543.

AP5 was placed under arrest by Off. Hernandez #561 for Interference with Public Duties and Resisting Arrest. Details of event noted in attached supplement report by Off. U Hernandez #561.

SP2 was contacted by Cpl. C. Carrillo #554 and identified. He provided information and allowing access his cell phone to show he was not participating in the gathering and was released once shown with no active warrants,

SP3 was contacted by Cpl. L Farias #534 who seized equipment as items used to record evidence of a crime occurring. He was released shortly after without incident.

SP4 was contacted by Off. U Hernandez who had been attempting to retrieve recording devices as evidence. Off. R. Parra assisted in detaining in handcuffs. Sp4 was identified and released shortly after without incident. Contact documented in supplement reports from both officers.

26. The Leon Valley Police Department had been in contact with the Bexar County District Attorney's office and local FBI office in regards to this anarchist agitator group. The D.A.'s office is aware of these charges and arrest being made today."<sup>3</sup>

27. The LVPD used multiple body cameras to capture the arrests and law enforcement interactions with everyone involved in the incident that took place on June 23, 2018. In advance of the event, LVPD worked with the FBI and the Bexar County DA's office before making any arrests and ensuring the proper charges were used on June 23, 2018.

#### **EXPERT'S OPINIONS & FINDINGS**

28. The principles of arrests related to demonstrations are thoroughly documented by several different law enforcement organizations. The names of these organizations that I draw my opinions from include the Federal Bureau of Investigation (FBI), the International Association of Chiefs of Police, the Texas Police Chiefs Recognition Program, Force Science Research Center, Lexipol and the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA). All of these organizations help to establish guidelines for law enforcement standards related to arrest situations.

<sup>3</sup> LVPD Incident report, # 201804036

29. I used these basic law enforcement standards when I looked at the arrests and enforcement actions that were made by LVPD officers in 2018 on June 14, 18 and 23. When studying best practices, the one central question that must be answered in any situation is “What would a reasonable officer do, given the same circumstances?” In all of the protesters’ arrests made by LVPD, the officers relied upon their TCOLE training and Texas Penal Code Statutes. The arrests were appropriate and in compliance with their LVPD training.

**OPINION #1 (The Adequacy of All LVPD Police Training)**

30. It is my opinion, that I hold to a reasonable degree of certainty, that all of the LVPD officers involved in the demonstrations on June 14, 18 and 23 of 2018 were provided LVPD in-service training as well as instruction by various police academies. These academies include the San Antonio Police Department Academy, Alamo Area Council of Government (AACOG) Academy, Bexar County Sheriffs’ Academy, San Antonio College Law Enforcement Academy, Texas DPS Academy, and the East Texas Police Academy. All of these academies are certified by the Texas Commission on Law Enforcement (TCOLE) regarding arrest procedures as they relate to the laws of the State of Texas found in the Texas Penal Code. As a former Chief of Police, I am aware that all of these police training academies provide quality training that meets the TCOLE requirements to become a peace officer and maintain your TCOLE license.

31. In both my experience as an expert witness and my extensive training through the Law Enforcement Management Institute (LEMIT – Sam Houston State University) Police Chief training courses, I believe that LVPD does a good job of ensuring its officers receive required training as well as proper protocol instruction on dealing with Critical Incidents (CIT). Before working on the street for LVPD, officers are required to work with a Field Training Officer (FTO) to learn the policies and procedures of the department. As the officers progress, through the field training process they are tested on their knowledge of these policies to ensure they understand their job and the expectations of the City of Leon Valley.

32. The LVPD Operations Manual was in place during the protests that took place in June of 2018. The Operations Manual states the following regarding expectations of their officers’ knowledge of policies: their knowledge of the policies:

Page 8

“3. Each officer and Police Department employee, regardless of rank or position will be responsible to familiarize himself with these Rules and regulations, other policies, or any other operational memorandum



4. The Rules and Regulations, Operations Memorandums, Policies, or reference to the City of Leon Valley Personnel Manual and all parts of the Manual shall be considered as part of these Rules and Regulations.”<sup>4</sup>

33. The Rules and Regulations Section of the Manual states the following on page 47:

“26. Prisoners shall be protected in their legal rights, given humane treatment and no verbal abuse or unnecessary physical violence shall be directed against them. No Officer shall willfully mistreat or use unnecessary force towards a prisoner. If force must be used in effecting an arrest or detention of a person, this incident must be reported in writing. No officer shall shoot any person, except under circumstances that would permit him to take human life under justifiable use of deadly force as prescribed by the Texas Penal Code.

27. Upon arrest of any person to be transported to the Police Department or placed in jail, the Arresting Officer shall thoroughly search such prisoner, removing from him all weapons, narcotics, firearms, stolen property. Or other evidence and shall place items into evidence in the proper manner. The prisoner shall again be searched by transporting Officer prior to transportation.”<sup>5</sup>

34. It is my opinion that the above listed operational procedures were followed by all of the officers involved in the arrests that took place on June 14, 18 and 23 of 2018. In each of the incidents, the property that was collected was considered evidence, and as such should have been removed from listed witnesses as well as the individuals who were arrested. It is also my professional opinion that the LVPD Operations Manual guided all of the involved officers in the procedures to use in effecting an arrest, and these procedures were used with all of the police interactions with witnesses and arrested individuals on June 14, 18 and 23 of 2018.

**OPINION #2 (The Texas Penal Code Provided Clear Offense Guidelines for the Leon Valley Police Department Officers for Offenses that Occurred)**

35. It is my professional opinion, which I hold to a reasonable degree of certainty, that all of the officers involved in making arrests on June 14, 18 and 23 were following their police training related to offenses under the Texas Penal Code.

<sup>4</sup> LVPD Operations Manual, P. 8

<sup>5</sup> LVPD Operations Manual, P 47

- **June 14, 2018**

36. On June 14, 2018, Mr. Jesus Padilla was arrested for Criminal Trespass, Texas Penal Code 30.05. Mr. Padilla had previously been issued a Criminal Trespass warning by officers with the LVPD.

“Texas Penal Code 30.05 Criminal Trespass

(a) A person commits an offense if the person enters or remains on or in property of another, including residential land, a recreational vehicle park, building, or an aircraft or other vehicle without effective consent and the person:

- (1) has notice that the entry was forbidden; or
- (2) received notice to depart but failed to do so

(b) for the purposes of this section:

(1) “Entry” means the intrusion of the entire body

(2) “Notice” means:

(A) oral or written communication by the owner or someone with apparent authority to act for the owner.”<sup>6</sup>

37. As Mr. Padilla was being arrested, Mr. Mark Brown was standing approximately five feet away and was attempting to video record the arrest. Mr. Brown did not comply with Detective Well’s instruction and instead resisted as he was repeatedly told to place his hands behind his back so that he could be arrested. Mr. Brown (6’7” 230 pounds) struggled with the officers as they all fell to the ground. Once on the ground, Mr. Brown would not allow the officers to handcuff him and used his legs in a thrashing motion to prevent himself from being arrested. The officers had no way of knowing if Mr. Brown was in possession of any weapons and feared for their safety Officer Vasquez elected to use an electronic control device (taser) in the drive stun mode to control him. After two separate five second taser cycles they were able to handcuff Mr. Brown. There were several supervisors present and medical attention was requested for Mr. Brown. Mr. Brown was transported by Leon Valley EMS to University Hospital. LVPD completed a Use of Force form as required in the Operations Manual.

38. Mr. Brown was tased by Officer Vasquez who was following his training as provided in the Leon Valley Operations Manual:

“Leon Valley Police Department Conducted Electronic Weapons Policy

Officers must realize CEW’s will not eliminate all physical confrontations posed by subjects.

<sup>6</sup> Texas Penal Code 30.05

An officer's decision to deploy the CEW shall involve an arrest or custodial situation wherein the subject is at a minimum exhibiting active physical resistance or is escalating resistance from passive physical resistance towards active physical resistance."<sup>7</sup>

39. After reading the police reports and observing the body camera video, it is my opinion that Mr. Brown was actively resisting his arrest. It was reasonable for Officer Vasquez to use his taser to gain compliance. Ultimately Mr. Brown was issued a Criminal Trespass Warning and charged with Resisting Arrest.

- **June 18, 2018**

40. On June 14, 2018, Leon Valley Judge Morales ordered that no weapons or video recording devices would be permitted in the Leon Valley Municipal Building. The Municipal Building houses the Municipal Court as well as the LVPD offices. Judge Morales' order stated that citizens are allowed to videotape the lobby from the outside of the building, but the foyer leading into the lobby is to be kept clear to allow entry into the lobby and court. The Court Order was a result of recent disruptions to city and court operations by agitators belonging to the group called The First Amendment Auditors. These inciters had previously threatened the LVPD police chief, mayor and other city officials through on-line websites.

41. On June 18, 2018, Mr. David Bailey, Mr. James Springer and Mr. James Mead walked inside of the Leon Valley Municipal Building lobby and began videoing in violation of Judge Morales' previous order. They were also blocking the passageway and making it difficult for people to come inside. When LVPD officers arrived, they instructed everyone to leave. Mr. Bailey refused, and he was arrested for Texas Penal Code 42.03 - Obstructing Highway/Passageway:

"(a) A person commits an offense if, without legal privilege or authority, he intentionally, knowingly, or recklessly:

(1) obstructs a highway, street, sidewalk, railway, waterway, elevator, aisle, hallway, entrance, or exit to which the public or a substantial group of the public has access, or any other place used for passage of persons, vehicles, or conveyances, regardless of the means of creating the obstruction and whether the obstruction arises from his acts alone or from the acts of others; or

(2) disobeys a reasonable request or order to move issued by a person the actor knows to be or is informed is a peace officer, fireman, or a person with authority to control the use of the premises."<sup>8</sup>

42. Mr. Springer was arrested at the scene and charged with Texas Penal Code Interference with Public Duties:

<sup>7</sup> LVPD Operations Manual, Conducted Electronic Weapons Policy

<sup>8</sup> Texas Penal Code 42.03

“(a) A person commits an offense if the person with criminal negligence interrupts, disrupts, impedes, or otherwise interferes with:

(1) a peace officer while the peace officer is performing a duty or exercising authority imposed or granted by law.”<sup>9</sup>

43. Mr. Mead was originally arrested for Failure to Identify as a Witness but was ultimately released after providing LVPD officers with his identification. Several other demonstrators (Russell Zinter, Joseph Pierce, Maria Salazar, Jesus Padilla and Juan Gonzales) had their property confiscated as evidence. This evidence was collected in accordance the officers’ police training and the LVPD Operations Manual.

44. It is my opinion after reviewing the body camera videos and the completed police reports that the arrests made on June 18, 2018 were appropriate and reasonable. The officers used their training and experience along with the Texas Penal Code to correctly charge the involved individuals.

- **June 23, 2018**

The First Amendment Auditors continued their protests on June 23, 2018. They antagonized law enforcement and placed LVPD in a position to make arrests in order to record and live stream the events.

45. On June 23, 2018, Mr. Bao Nyguen and Mr. James Springer were both protesting in front of the Leon Valley Community Building while live streaming the event on YouTube. During the live stream, LVPD Chief Salvaggio’s home address and his family members’ names were displayed as it was being broadcast. Several viewers wrote offensive comments, including death threats, against the chief and his family. The moderators made no effort to stop the recording or to remove the negative/offensive comments from being displayed. Chief Salvaggio informed LVPD officers that these threats had occurred previously during earlier broadcasts as well. Some of the threats against Chief Salvaggio included stalking and physical violence.

46. As the broadcast was being played on June 23, 2018, several comments were made in the chat section and Mr. Nyguen and Mr. Springer were aware of these chats, but made no attempt to stop them. These comments directed the chief and his family had prompted them to leave their primary residence to in an effort to avoid violence against them.

47. Mr. Nyguen and Mr. Springer continued their live feed and encouraged viewers to call 911 in an attempt to flood the call system and disrupt police operations. Prior to the incident on June 23, 2018, LVPD officers had been in contact with the FBI and the Bexar County District Attorney’s Office. Their intent was to follow legal guidelines if personal law enforcement officer’s information was maliciously released to the public through a

<sup>9</sup> Texas Penal Code. 38.15

live feed. Once again when that line was breached, LVPD made the determination to arrest Mr. Nyguen and Mr. Springer for violation of Texas Penal Code 36.06:

- Texas Penal Code 36.06 Obstruction or Retaliation

“(a) A person commits an offense if the person intentionally or knowingly harms or threatens to harm another by an unlawful act.

(1) In retaliation for or on account of the service or status of another as a:

(A) public servant, witnesses, prospective witnesses, or informant; --

(a-1) A person commits an offense if the person posts on a publicly accessible website the residence address or telephone number of an individual the actor knows is a public servant or a member of a public servant’s family or household with the intent to cause harm or threat of harm to the individual or a member of the individual’s family or household in retaliation for or on account of the service or status of the individual as a public servant.”<sup>10</sup>

48. The following individuals were also arrested by LVPD on April 23, 2018:

Joseph Pierce – Interference with Public Servant Duties, Citation for Failure to Identify

Jason Green – Interference with Public Servant Duties, Citation for Failure to Identify

Brian Howard – Interference with Public Servant Duties and Resisting Arrest

49. The LVPD used multiple body cameras to capture the arrests and law enforcement interactions with everyone involved in the incident that took place on June 23, 2018. In advance of the event LVPD worked with the FBI and the Bexar County DA’s office before making any arrests in order to ensure the proper charges were applied on June 23, 2018.

50. It is my opinion that LVPD Officers followed their Texas Peace Officer training when they arrested protestors on June 14, 18, and 23, 2018. These arrests were performed with multiple supervisors present as well as every incident being recorded on body worn cameras. They consulted with the FBI and the Bexar County District Attorney when they made these arrests. It is my opinion that the Leon Valley Police Department provided all of the officers involved in these arrests with guidelines on when to make an arrest. Furthermore, it is my professional opinion that a reasonable officer would have made these same arrests based on their thorough training and instruction from supervisors.

### **OPINION #3 (LVPD Officers Are Instructed on the Use of the TASER)**

51. It is my professional opinion that Officer Vasquez’s use of the taser was reasonable. I believe he was following his LVPD training when he elected to use his taser on Mr. Brown in an effort to subdue him for a safe arrest.

<sup>10</sup> Texas Penal Code 36.06

### **Penal Code 38.03 Resisting Arrest**

52. Officers Vasquez, Wells and Farias received Texas Penal Code training through the Alamo Area Law Enforcement Academy and in-service courses. A part of this instruction included officer awareness of Texas Penal Code 38.03 Resisting Arrest, Search or Transportation.

#### **Texas Penal Code 38.03**

53. “(a) A person commits an offense if he intentionally prevents or obstructs a person he knows is a peace officer or a person acting in a peace officer’s presence and at his direction from effecting an arrest, search or transportation of the actor or another by using force against the peace officer or another.

(b) It is no defense to prosecution under this section that the arrest or search was unlawful.”<sup>11</sup>

54. It is my opinion that Officers Vasquez, Wells and Farias were following the training they received governing the offense of Resisting Arrest when they apprehended of Mr. Brown. After reviewing the General Offense and supplements written by the officers, it is clear that LVPD provided each of them with training which they followed in regards to the appropriate use of force and effecting an arrest. Additionally, it is my opinion that the actions of Officers Vasquez, Wells and Farias were reasonable in light of the situation as it unfolded on June 14, 2018.

55. The International Association Chiefs of Police (IACP) is one of the guiding forces in law enforcement in the United States. A 2019 Model Policy titled “Arrests and Investigatory Stops” states the following:

#### **“D. Arrests**

Officers shall conduct arrests only when based upon probable cause or an arrest warrant.

##### **1. Probable Cause**

- a. Probable cause for arrest may be established by one of the following:
  - i. Observation of the Officer
  - ii. Information or evidence obtained during investigatory detention or voluntary contact
  - iii. An identified individual’s specific complaint
  - iv. Information provided by a law enforcement informant of proven reliability

<sup>11</sup> Texas Penal Code 38.03 Resisting Arrest

v. Information provided by other law enforcement sources

3. Making the Arrest

- a. No arrest shall be made at a time or in a manner contrary to any express limitations included in a warrant or in a manner or at a time or place prohibited by:
  - i. Agency regulation,
  - ii. Applicable legislation, or
  - iii. Relevant court decisions”<sup>12</sup>

56. It is my professional opinion that LVPD officers were following this national standard when they affected arrests on June 14, 18 and 23 of 2018. The officers had probable cause based on their personal observations and were following the laws of the State of Texas when they made the arrests.

**OPINION #4 (The Leon Valley Police Department Provides Specific Guidelines on When Officers Can Use Force)**

57. It is my professional opinion, which I hold to a reasonable degree of certainty, that the LVPD has a documented police policy with regards to use of force. The policy is captured on page 65 of the Operations Manual titled, Leon Valley Police Department Use of Force Policy. This Section of the Operations Manual is taught to all officers when they come onto the LVPD and is reinforced throughout their careers during in-service training.

**PURPOSE**

58. “To establish departmental policy and provide guidelines under which the use of force by police officers is permissible. The creation of a separate policy removes the guidelines for the use of force from the general areas of the personnel manual and creates their own specific policy. This policy rescinds all policies or directives in conflict. Violation of this directive will only form the basis for departmental administrative sanctions. Violations of the law will form the basis for criminal and civil sanctions in a recognized judicial setting.”<sup>13</sup>

59. In my professional opinion the LVPD Policy Manual uses common sense definitions and should be considered objectively reasonable.

An objective standard is viewed from the perspective of a reasonable officer on the scene, without the benefit of 20/20 hindsight, and written within the limitations of the totality of the circumstances presented at the time of the incident.

<sup>12</sup> IACP Model Policy, “Arrests and Investigatory Stops” September 2019

<sup>13</sup> LVPD Use of Force Policy



60. It is my opinion that in officer/suspect encounters (like the one with LVPD Officers Vasquez, Wells and Farias experienced with Mr. Brown) things happen literally in the blink of an eye. Officers automatically default back to how they were trained coupled with what it takes to survive an encounter. In this altercation, Mr. Brown refused to comply with the officers' instructions. Once Mr. Brown went to the ground with these officers they performed as trained and were following the LVPD Operations Manual when they arrested Mr. Brown:

#### **Texas Penal Code 9.51**

61. "An officer is justified in using reasonable force when the officer reasonably believes the use of such force is immediately necessary (Tex. Penal Code 9.51):

- (a) To make or assist in a detention or an arrest, or conduct a search that the officer reasonably believes is lawful;
- (b) To prevent or assist in preventing escape after an arrest, provided the officer reasonably believes the arrest or search is lawful: or
- (c) To make an arrest or conduct a search under warrant that the officers reasonably believes is valid."<sup>14</sup>

62. It is my opinion that when the LVPD officers arrested Mr. Brown, they followed their extensive training aligned with the Texas Penal Code 9.51 sections (a) and (b).

63. The LVPD uses a Force Continuum model that is broken down into seven levels:

- Verbal Control – Use of Force Level 1
- Escort – Use of Force Level 2
- Control and Compliance – Use of Force Level 3
- Chemical Agents/Electronic Control Device – Use of Force Level 4

Level 4 – "Electronic Control Devices (ECD) are issued to officers for utilization to neutralize potentially combative subject, or as an alternative to physical control in arrest or custodial situations. The primary purpose in the decision to deploy the ECD is to prevent escalation of the subject resistance or violence and to minimize injury to both the officer and subject. The ECD shall only be used in accordance with departmental training standards. The use of an ECD shall be restricted to situations where higher level of force are not necessary and lower levels of forces would be inappropriate or have been ineffective."<sup>15</sup>

- Unarmed Striking Techniques – Use of Force Level 5
- Striking Implement – Use of Force Level 6
- Deadly or Potentially Deadly Force – Use of Force Level 7

<sup>14</sup> Texas Penal Code 9.51

<sup>15</sup> LVPD Use of Force Policy

64. After Mr. Brown was tased (in compliance with the LVPD Operations Manual and officer training), medical assistance was immediately requested. Additionally, as required per the Operations Manual, a Police Use of Force Form was generated to document the incident. Several supervisors were present when this incident occurred and observed Mr. Brown being arrested.

65. I reviewed the body camera videos associated with all of these arrests, I did not observe any of the protestors to be injured when they were handcuffed. I also am unaware of the involved individuals subsequently receiving treatment for any injury as a result of being handcuffed. Handcuffing prisoners behind their backs is in compliance with national officer safety recommendations. Therefore, it is part of the formal training and instruction that is taught to LVPD officers.

#### **CONCLUSION**

66. It is my opinion, which I hold to a reasonable degree of professional certainty, that the Leon Valley Police Department is a very progressive and professional police department. As a former police chief, I believe their Operations Manual provides guidance for police personnel. Based upon the documents/videos I have reviewed, it is my opinion that all of the arrests made on June 14, 18 and 23 of 2018 were consistent with national standards.

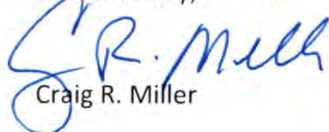
67. Based on the totality of the facts that were apparent to the LVPD officers, they followed the instructions of their supervisors as well as their police training. It is my opinion that all LVPD officers had knowledge of the Operations Manual, Code of Criminal Procedure and the Texas Penal Code regarding the probable cause necessary to make an arrest during a demonstration. I am confident that all of the arrests made on these dates were appropriate and in compliance with the Texas Penal Code as well as LVPD policies and procedures.

- **COMPENSATION**

68. Compensation for my expert witness services is \$325 per hour. This is a preliminary report and may have to be supplemented when more information is available.

- **Resume – Attached**
- **List of Cases in which I have been retained - Attached**

Submitted by,

  
Craig R. Miller

## **CRAIG R. MILLER**

*Available to Travel*

Lt4653@yahoo.com www.chiefcraigmiller.com

---

### **EXPERT WITNESS – CONSULTANT & SUBJECT MATTER EXPERT**

**Career Law Enforcement Officer – Chief of Police**

***Major City – Major Crimes – Use of Force – School District Security***

Accomplished leader who thrives on the energy and excitement of the investigative process balanced by a calming presence that is experienced by staff, superiors, and the public. Focused on getting the job done and accomplishing the objective. Listens, learns, and finds the most capable people available to do the job. Comfortable interacting with people at all levels of an organization as well as respecting the chain of command. Known as a positive person who manages others with respect.

#### **Officer Involved Shootings & Death in Custody Investigations**

*Deadly /Excessive Force– Police Procedure – Premise Liability – Undercover Police operations – School Safety*

#### **Organization Leadership – Criminal Investigations**

*High Profile Incidents – Budget & Personnel Management – Emergency Management*

**Decisive – Organized – Calm Under Pressure – Personable – Team Builder – Media Relations**

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### **SUBJECT MATTER EXPERT WITNESS**

#### **EXPERT WITNESS**

**2012 – Present**

As a subject matter expert, represents both plaintiffs and defendants in civil and criminal litigation in federal and state courts. Prior to representing a client, reviews facts including videos and reports to determine whether to participate in the case. Reputation for being “extremely professional and prepared”.

Areas of expertise include

- Death In Custody Investigations
- Law Enforcement Tactics
- Officer Involved Shootings
- Police Management School Safety
- Police Use of Force
- Undercover Operations

#### **POLICE EXPERIENCE**

##### **DALLAS INDEPENDENT SCHOOL DISTRICT, Dallas, TX**

**2011 – 2019 (Retired)**

*14<sup>th</sup> largest US public school system with 160,000 students, 20,000 employees and \$1.2 billion operating budget*

##### **Chief of Police**

Direct the Emergency Management Department and safety plans for the Dallas ISD. Oversee 220 personnel (sworn, non-sworn, dispatch, private security) with 100 vehicles and \$13 million budget. Manage contracts for video cameras, coordinate security for buildings and responsible for campus fire and burglar alarm response.

- Created and implemented a program of “hire and train” in which the school district hires individuals and then sends and funds their attendance at the Regional Police Academy (COG) in Arlington, TX, successfully hiring individuals who attended DISD schools and then placing them as police officers in those school where they were instrumental in bridging the culture gap between the students and school safety
- Post Sandy Hook, requested and received funding for \$2.1 million for safety enhancements at all 153 elementary schools that previously had not had security such as camera systems, access control, and buzzer intercom at entry points
- Created new standardized “use of force” training for DISD police personnel
- Developed and implemented a new shift structure resulting in more effective utilization of personnel

##### **DALLAS POLICE DEPARTMENT, Dallas, TX**

**1982 – 2011**

*9<sup>th</sup> largest police department in the U.S., covering 342 square miles and serving a diverse population of 1.2 million*

**Deputy Chief, Crimes Against Persons (2010 – 2011)**

Responsible for the investigation of all murders, rapes, assaults, and business robberies in the City of Dallas. Also oversaw the Crime Scene Response Unit that is responsible for all physical evidence and DNA collection. Serve as Department Spokesperson to the media for all major violent crimes in the city. Oversaw \$3.3 million outsourcing contract with Southwest Institute of Forensic Science. Managed 180 sworn officers and civilian employees and a budget of \$18.5 million.

- Instrumental in the implementation of the Sexual Awareness Nurse Examiner (SANE) program, expanding the number of facilities that handled sexual assault victims
- Developed grant application and received state funding for Cold Case DNA for fiscal year 2011-2012
- Foster relationships with the Dallas County District Attorney's Office that leads to arrest and convictions.

#### **Homicide Unit Commander (2007 – 2010)**

Oversaw 750+ murder investigations and 300+ suicides during CAPERS assignment. Interact daily with the press, including 100's of both print and video media interviews. Physically present at 75 officer-involved shootings (OIS) involving 100+ officers.

- Led the Special Investigations Unit (SIU) that oversees "officer involved" shootings, and death in custody investigations
- Exceeded the national clearance for homicides
- Reduced homicides, the leading indicator of violent crimes, 27% from 200 to 148 in 2010
- Created and built the Cold Case Homicide squad (sergeant and 4 officers)

#### **Tactical Services Commander/Explosive Ordinance Unit (2004 – 2006)**

Oversaw the mounted patrol, canine squad, and the bomb squad

- Developed grant application resulting in \$100,000 state funding for new equipment, including bomb suits

#### **Narcotics Division Unit Commander (1997 – 2004)**

Handled day-to-day operations for street level narcotics activity and also oversaw narcotics seizures, asset forfeiture and intelligence operations

- Initiated and spearheaded investigation that led to the resolution of the infamous "fake drug" conspiracy at the Dallas Police Department, resulting in a \$10 million settlement to innocent victims, the convictions of multiple police officers, and the resignation of the Chief of Police
- Working with the federal authorities, led the revision of the Standing Operating Procedures of the Narcotics division that dramatically increased controls over narcotics officer operations

#### **Abatement Unit Commander (1995 – 1997)**

#### **Legal Services Unit Commander (1999)**

#### **Traffic Division Unit Commander (1993 – 1994)**

Work directly with the FBI and Secret Service in creating security and transportation plans

#### **Southwest Patrol Watch Commander (1992 – 1993)**

#### **Commander of Computer Crime Analysis (1991 – 1992)**

#### **Early Career with the Dallas Police Department (1982 – 1991) Police Officer and Sergeant**

### **EDUCATION, CERTIFICATIONS & PROFESSIONAL AFFILIATIONS**

**BA, Criminal Justice, Memphis State University**

***Force Science Certification Course (40 hours) – 2015 "Force Science Analysis"***

#### **Continuing Education**

Graduate of the FEMA Emergency Management Institute

Hazardous Device Supervisors School, Huntsville, AL

Southwest Legal Foundation, University of Texas at Dallas

*Graduate of the Command Management School Supervisor's Course*

Law Enforcement Management Institute of Texas, Sam Houston State University

*New Chief Development Program*

#### **Professional Affiliations**

International Association of Chiefs of Police (IACP) | Police Executive Research Forum (PERF)

Texas Police Chiefs Association (TPCA) | North Texas Police Chiefs Association (NTPCA)

- Officer Involved Lethal Force Investigations Course – Instructor, 2014 to present

Craig R. Miller  
102 Blue Heron Ln.  
Heath, Texas 75032  
(214) 803-4653

Email: chiefcraigmiller@gmail.com

**Expert Witness/Consultant Fee Schedule**

**HOURLY FEE** – An hourly rate of \$325 for all time spent on the case, including travel time related to the case.

**MONTHLY BILLING AND PAYMENT** – Time and expenses will be billed monthly and must be paid within 30 days. Checks will be made payable to Craig Miller Group, LP.

Delinquent payments are subject to a five percent late payment for each 30 days the payment is late.

**I agree to accept the services of Craig R. Miller subject to these terms and conditions:**

\_\_\_\_\_

\_\_\_\_\_  
**Date**

**Chief Craig R. Miller**

**INVOICE**

November 22, 2021

Billed To: **Adolfo Ruiz**  
**Denton Navarro Rocha Bernal & Zech, P.C.**  
**2517 N. Main Ave.**  
**San Antonio, Texas 78212**

Pay To: **Craig Miller Group, LP**  
**Craig Miller**  
**102 Blue Heron Ln**  
**Heath, Texas 75032**  
**(214) 803-4653**

Terms: Net Due Upon Receipt Tax ID No. 83-2928833

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Description	Total \$9,993.75
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*Zinter, Miller, Howd, Pierce, Brown, Bailey, Gonzales, Jr., Egan, Green, Springer, Gariner, Herrera, Green, Richard v City of Leon Valley*

**Expert Witness Fee**  
**(Attorney Adolfo Ruiz)**

Craig R. Miller  
November 8 – November 22, 2021  
30.75 hours @ \$325 per hour = \$9,993.75  
Report

**TOTAL DUE** **\$9,993.75**

Craig Miller - Case History (Expert Witness)

- **Expert Witness Cases**

Mr. Craig Woods  
Walsh, Anderson, Gallegos, Green & Trevino, P.C.  
100 N. E. Loop 410 Suite 900  
San Antonio, Texas 78216  
(210) 979-6633

- *Denys Lopez/Moreno v Northside ISD, US District Court for Western District of Tx*

Result: Case was settled out of court

Testified – No  
Deposition – Yes  
Report – Yes  
Defendant – Y (Northside ISD) (2012)

---

Mr. Pete Schulte  
Schulte & Apgar, PLLC  
4131 N. Central Expy #680  
Dallas, Tx 75204  
(214)521-2200

- *State of Texas v Lynda Cayard Murder Trial (Ellis Co. Texas)*

Result: Cayard Acquitted

Testified – No  
Deposition – No  
Report – No  
Defendant– Y (Lynda Cayard) (2015)

---

Mr. Robert Rogers (TMPA)  
Lyon, Gorsky, Gilbert & Livingston  
12001 N. Central Expressways #650  
Dallas, Texas 75243  
(214) 965-0090

- *State of Texas v Robert Burross, Expungment Trial (Ellis Co. Texas)*

Result: Not Guilty  
Testified – Yes  
Deposition – No  
Report – No  
Defendant – Yes (Robert Burross – retired LEO) (2015)



Page 2

Mr. Nelson Tyrone  
Tyrone Law Firm  
1201 Peachtree St. NE  
400 Colony Square, Suite 2000  
Atlanta, GA 30361  
(404) 377-0017

- *Joselinne Rivera, Individually, and the Honorable Jack Ethridge, Temporary Administrator of the Estate of Jorelys Rivera, Deceased (Plaintiffs)*  
vs

*McCormack, Baron, Ragan Management Services Inc.*

Result:	Case Settled out of court
Testified:	No
Deposition	Yes
Report	No
Plaintiff	Joselinne Rivera (Jorelys Rivera, Deceased) (2015)

---

Mr. Chris Coppola  
City of Austin  
301 W. 2<sup>nd</sup> Street, P.O. Box 1088  
Austin, Tx  
(512) 974-2161

- *Bradley v. City of Austin*

US District Court, Western District of Texas, Austin Division

Result:	Pending
Testified:	Pending Trial
Deposition	Yes
Report:	Yes
Defendant	City of Austin (2015)

---

Page 3

Mr. James Butt  
City of Dallas  
Dallas Attorney's Office  
(214) 670-1333

- *Harrison v. City of Dallas*  
US District Court, Northern District of Texas Dallas Division

Result: Summary Judgement for City of Dallas  
Testified: NA  
Deposition: No  
Report: Yes  
Defendant: City of Dallas (2016)

---

Mr. Brent Perry  
800 Commerce Street  
Houston, Texas 77002

- *Estate of Cameron Redus v University of the Incarnate Word (San Antonio)*  
- District Court of Bexar County Texas, 150<sup>th</sup> Judicial District Court

Result: Pending  
Testified: Pending Trial  
Deposition: No  
Report: Yes  
Plaintiff: Estate of Cameron Redus (2016)

---

White & Wiggins Law Firm  
Mr. Sol Villasana  
1700 Pacific Ave  
Dallas, Tx 75201  
(214) 231-0137

- *Bobby Bennett v. Cardan Spencer, Christopher Watson, and the City of Dallas*  
U. S. District Court,  
Northern District of Texas,  
Dallas Division

Result: Settled out of court  
Testified: No  
Deposition: Yes  
Report: Yes  
Defendant: Christopher Watson and City of Dallas (2016)

Page 4

Jorge Herrera  
The Herrera Law Firm  
111 Soledad St.  
San Antonio, Tx 78205  
(210) 224-1054

- *Family of James Ray Dominguez v Jorge Luis Flores and Precision Pipeline, LLC*  
District Court  
83<sup>rd</sup> Judicial District  
Val Verde County, Texas

Result: Settled out of Court  
Testified: NA  
Deposition: Yes  
Report: Yes  
Plaintiff: James Ray Dominguez (2016)

---

Mr. Grant Brenna  
Assistant City Attorney  
City of Dallas  
1500 Marilla St.  
Dallas, Texas 75201  
(214) 670-1333

- *Albert Butler v City of Dallas and Brian Bradley*

US District Court  
Northern District of Texas  
Dallas Division  
Result: Settled out of court  
Testified: Pending Trial  
Deposition: No  
Report: Yes  
Defendant: City of Dallas (2015)

---

Page 5

Mr. Lance Wyatt (TMPA)  
141 Countryside Ct.  
Southlake, Texas 76092  
(817) 257-9220

Killeen Police Dept. Termination Hearing

- Emeana Givonchie v. City of Killeen

Result: Officer Reinstated  
Testified: Yes  
Deposition: No  
Report: No

Testifying on behalf of the officer who was terminated (2016)

---

Mr. Daryl K. Washington  
325 N. St Paul St, #1975  
Dallas, Texas 75201  
(214) 403-5464

*Darden v City of Ft. Worth Texas*

U.S. District Court for the Northern District of Texas, Ft Worth Division

Result: Summary Judgement/ On Appeal  
Testified: Pending Trial  
Deposition: No  
Report: Yes  
Plaintiff: Darden Family (2017)

---

Page 6

Mr. Robert Rogers (TMPA)  
Lyon, Gorsky, Gilbert & Livingston  
12001 N. Central Expressways #650  
Dallas, Texas 75243  
(214) 965-0090

*State of Texas v Brad Miller (Grand Jury Hearing)*

Result: No Billed  
Testified Yes  
Deposition: No  
Report: No  
Defendant: Brad Miller (2016)

---

Mr. Gregory B. Cagle  
TMPA Regional Attorney  
1602 B State Street  
Houston, Texas 77007

*State of Texas v Charles Alston*

County Criminal Court at Law No 1 Harris County Texas

Result: Not Guilty  
Testified: Pending Trial  
Deposition: No  
Report: Yes  
Defendant: Charles Alston (2016)

---

Mr. Gregory B. Cagle  
TMPA Regional Attorney  
1602 B State Street  
Houston, Texas 77007

Brenham Police Department

- *Richard Bobbitt v City of Brenham*

Result: Officer Terminated/F-5 Appeal  
Testified: No  
Deposition: No  
Report: No (2017)

---

Page 7

Mr. Andy Messer  
6351 Preston Rd.  
Frisco, Texas 75034  
(972) 668-6400

Corinth Police Department

*Marcos Mote (Officer) - Plaintiff*  
*V.*  
*Debra Walthall (Chief)- Defendant*

Result:	Verdict for the Defendant
Testified:	No
Deposition:	No
Report:	Yes
Defendant	Debra Walthall(2016)

---

Mr. Mark Kosanovich  
P. O. Box 831121  
San Antonio, Texas 78283  
(210)408-6793

*Rogelio Carlos III, and Myrna Carlos*  
*V.*  
*Carlos Chavez, Virgilio Gonzalez, James Ybarra, Mark Delgado, City of San Antonio*  
*and Detective John Doe*

Result:	Pending
Testified:	No
Deposition	yes
Report:	Yes
Defendant	City of San Antonio (2017)

---

Page 8

Joseph, Greenwald, Laake, P. A.  
(Steve Vinick)  
6404 Ivy Lane, Suite 400  
Greenbelt, MD, 20770-1417

*Estela Concepcion, Jacome De Espina, as Personal Representative of the Estate of  
Manuel De Jesus Espina*

*V.  
Officer Steven Jackson*

Circuit Court for Prince George County, Maryland

Result:	Settled out of Court with Plaintiff Espina Estate
Testified:	No
Deposition:	No
Report:	No
Plaintiff:	Espina Estate (2017)

---

Mr. Jason Schuette  
Assistant City Attorney  
City of Dallas  
1500 Marilla St.  
Dallas, Texas 75201  
(214) 670-1333

*Sandra Harper, individually and as the surviving parent of James Harper, Tony S.  
Harper as the Administrator of the Estate of James Harper and K.H. a minor, by and  
through her Mother and Guardian, Ashlee Whadley*

*V.  
The City of Dallas, Texas, and Brian Rowden*

Result:	Verdict for the Defendant (City of Dallas)
Testified:	Yes – Federal Court (Judge Lynn)
Deposition:	No
Report:	Yes
Defendant:	City of Dallas (2017)

---



Page 9

Mr. Michael Siemer  
Assistant City Attorney  
Office of the City Attorney  
100 Military Plaza  
San Antonio, Texas 78205  
(210) 207-8784

*Diane Peppar, Individually as Natural Mother to Antronie Scott*  
*V.*  
*The City of San Antonio, Texas and John Lee*

United States District Court, Western District of Texas, San Antonio Texas

Result:	Pending
Testified:	No
Deposition:	Yes
Report:	Yes
Defendant:	City of San Antonio (2017)

---

Ms. Chris Edwards  
Assistant City Attorney  
Austin City Attorney  
City Hall, 301 W.2<sup>nd</sup> Street, P.O. Box 1546  
Austin, Texas 78767 – 1546  
(512)974-2147

*Grady Bolton*  
*V.*  
*City of Austin, Austin Police Sergeants Randy Dear, Manuel Jimenez and Officers*  
*Michael Nguyen, Rolando Ramirez,*

Result:	Verdict for Defendant (City of Austin)
Testified:	Yes (Federal Court – Judge Sparks)
Deposition:	No
Report:	Yes
Defendant:	City of Austin (2018)

---

Page 10

Mr. Howard Schaffner  
Hoefeld and Schaffner  
30 N LaSalle Street  
Chicago, Illinois, 60602  
(312) 372-4250

*Nwaeke*  
*V*  
*City of Chicago*

Circuit Court of Cook County, Illinois

Result: Decision for City of Chicago  
Testified: Yes  
Deposition: Yes  
Report: No  
Plaintiff: Prince Nwaeke (2018)

---

Mr. Jason Schuette  
Assistant City Attorney  
City of Dallas  
1500 Marilla St.  
Dallas, Texas 75201  
(214) 670-1333

*Cassandra Luster, et al.,*  
*V*  
*City of Dallas*

Result: Verdict for the Defendant City of Dallas  
Testified: No  
Deposition: Yes  
Report: Yes  
Defendant: City of Dallas (2018)

---

Page 11

Mr. Jason Schuette  
Assistant City Attorney  
City of Dallas  
1500 Marilla St.  
Dallas, Texas 75201  
(214) 670-1333

*Rene Hernandez, et al.,  
V.  
City of Dallas*

Result: Pending  
Testified: No  
Deposition: No  
Report: Yes  
Defendant: City of Dallas (2018)

---

Ms. Christine Duperroir  
Burt Barr & Associates  
203 E. Colorado Blvd.  
Dallas, Texas 75203  
(214) 943-0012

*Marcus and Audrey Dawson individually and as Representative of the Estate of  
Christian Dawson  
V.  
Cider Property Inc., a Texas Corporation: Srinivas Pohar: Utopian Ventures, LLC D/B/A  
Azure Banquet Hall*

Result: Settled out of Court  
Testified: No  
Deposition: No  
Report: Yes  
Defendant: Azure Banquet Hall (2018)

---

Page 12

Mr. Noel Capps  
Renaud, Cook, Drury, Mesaros, PA  
One North Central, Ste. 900  
Phoenix, AZ, 85004-4117  
(602) 307-9900

*Georgia Terry, surviving mother of decedent Lynn Debra Freeman, for and on behalf of all who may may statutory right of recovery,*

*V.*

*City of Flagstaff, a political subdivision of the State of Arizona; and Terros, Inc., an Arizona non-profit corporation, d/b/a Terros Health and Terros Healthcare,*

- Superior Court of the State of Arizona in County of Coconino

Results:	Pending
Testified:	No
Deposition:	No
Report:	No
Defendant:	Terros Healthcare (2018)

---

Mr. Al Ellis  
Sommerman, McCaffity, & Quesada  
3811 Turtle Creek Blvd., Suite 1400  
Dallas, TX 75219  
(214) 720-0720

*Mary Stroope, as Independent Administratrix of the Estate of Richard Delle*

*V.*

*Home Depot*

- 160<sup>th</sup> District Court, Dallas County, Texas

Results:	Pending
Testified:	No
Deposition:	No
Report:	Yes
Plaintiff:	Mary Stroope (2018)

---

Page 13

Mr. Wayne Harper (Harper Law)  
35 West Granite Street  
P. O. Box 506  
Butte, Montana 59703  
(406) 782-5729

*Thomas Madsen,*  
*V.*

*Gallatin County, a Governmental Entity of the State of Montana, and John Does 1*  
*Through 5*

- Montana Eighteenth Judicial District Court, Gallatin County

Results:	Pending
Testified:	No
Deposition:	No
Report:	No
Plaintiff:	Thomas Madsen (2018)

---

Ms. Jane Bishkin  
TMPA Attorney  
10000 N Central Expressway  
Dallas, Texas 75231  
(214) 212-2377

*Sergeant William Eurto*

*V.*

*State of Texas*  
*Tarrant County, Texas*

Results:	No Bill (GJ Hearing)
Testified:	No
Deposition:	No
Report:	No
Defendant:	Sgt. Willam Eurto (Bedford Police Department) 2019

---

Page 14

Ms Amy Staples  
Loevy & Loevy  
18 Village Plaza PMB 181  
Shelbyville, Ky. 40065  
(312) 243-5900

*Pearlie Sue Gambrel as Administrator for the Estate of Jessie Mills v Knox County*  
- Eastern District of Kentucky, Southern Division

Results:	Pending
Testified:	No
Deposition:	Yes
Report:	Yes
Plaintiff:	Jessie Mills (2019)

---

Ms. Tatia Wilson  
Assistant City Attorney  
City of Dallas  
1500 Marilla St  
Dallas, TX 75201  
((214) 671-9553

*Timpa v Dillard (COD), Civil Action No. 3: 16cv3089 – N*

Results:	MSJ for Dallas
Testified:	No
Deposition:	No
Report:	Yes
Defendant:	City of Dallas (2019)

---

James Roberts  
Scott Palmer PC  
15455 Dallas Parkway  
Addison, TX 75001

*Alfredo Valencia v Davis (Abilene PD)*

Results:	Pending
Testified:	No
Deposition:	No
Report:	Yes
Plaintiff:	Alfredo Valencia (2019)

---

Page 15

Mr. Robert Rogers  
Lyon, Gorsky, Gilbert & Livingston  
12001 N. Central Expressways #650  
Dallas, Texas 75243  
(214) 965-0090

*State of Texas v Amber Guyger*  
*Dallas County*

Result: Murder Trial (Guilty)  
Testified: No  
Deposition: No  
Report: No  
Defendant: Amber Guyger (2019)

---

Ms. Melissa Cranford  
Messer, Rockfellar & Fort, PLLC  
6371 Preston Rd.  
Frisco, Texas 75034  
(972) 424-7200

*Brandie Cunningham v Wood County, Thomas Castloo*

Result: Pending  
Testified: No  
Deposition: No  
Report: No  
Plaintiff: Brandie Cunningham (2019)

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Mr. Nathan Inurria  
Farah Law Group  
1211 Hyde Park Blvd.  
Houston, TX 77006  
(888) 481-9359

*Casey Brown v City of Houston*  
(U.S. District Court, Southern District of Texas)

Result:	Pending
Testified:	No
Deposition:	No
Report:	Yes
Plaintiff:	Casey Brown (2019)

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Mr. Phillip Linder  
Barrett, Bright, Lassiter, Linder, Perez, LLP  
3300 Oak Lawn Ave  
Dallas, Texas 75219  
(214) 252-9900

*Maria Blocker v State of Texas (Dallas County)*

Result:	Case settled at Trial
Testified:	No
Deposition:	No
Report:	No
Defendant	Maria Blocker (2019)

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Ms. Elizabeth Wang  
Loevy & Loevy  
20160 Broadway  
Boulder, Colorado, 80302  
(720) 502-2103

*Richard Winfrey Jr., & Megan Winfrey v Johnson*

Result:	Settled
Testified:	No
Deposition:	No
Report:	Yes
Plaintiff:	Richard Winfrey Jr. & Megan Winfrey (2019)

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Ms. Amy Messer  
Assistant City Attorney  
City of Dallas  
1500 Marilla St  
Dallas, TX 75201  
(214) 671-9553

*Kelson v City of Dallas, Civil Action No. 3:18cv3308-E*

Results:	Pending – Police excluded
Testified:	No
Deposition:	No
Report:	Yes
Defendant:	City of Dallas (2020)

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Ms Amy Staples  
Loevy & Loevy  
18 Village Plaza PMB 181  
Shelbyville, Ky. 40065  
(312) 243-5900

*William Virgil*

v

*City of Newport, City of Cincinnati, City of Norwood, Newport Police Officers Mark Brandt, Norm Wagner, Pat Moore, Howard Niemier, Sarah Desentry, Sgt. Bradford, Lt. Col. Ken Page, Lt Tom Fromme, Lt Rick Sears, Cincinnati Police Officers Mike Slayback, Robert Cardone, Mike Phillips and Norwood Police Officer Steve Daniels*  
- Eastern District of Kentucky, Covington Division

Results:	Pending
Testified:	No
Deposition:	No
Report:	Yes
Plaintiff:	William Virgil (2020)

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Ms. Chris Edwards  
Assistant City Attorney  
Austin City Attorney  
City Hall, 301 W.2<sup>nd</sup> Street, P.O. Box 1546  
Austin, Texas 78767 – 1546  
(512)974-2147

*Neal Studzinski*

*V*

*City of Austin, Lewis Holland, Christopher Taylor, Karl, Krycia, Jon Bundick, Joseph  
Lorett and Richard Anthony Ross*

Result:	MSJ
Testified:	No
Deposition:	No
Report:	Yes
Defendant:	City of Austin (2020)

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Mr. Gray Laird  
Assistant City Attorney  
Austin City Attorney  
City Hall, 301 W.2<sup>nd</sup> Street, P.O. Box 1546  
Austin, Texas 78767 – 1546  
(512)974-2147

*Fabrizio Bisetti*

*V*

*City of Austin, Brendan McMorrow*

Result:	Pending
Testified:	No
Deposition:	No
Report:	Yes
Defendant:	City of Austin (2020)

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Anthony & Peterson, LLP  
500 N. Waters Street  
Corpus Christi, Texas 78401  
(361) 687-1000

*Michael Aranda, Individually and as Representative of the Estate of Alejandro Chavez (Plaintiffs)*

V

*Jayla Monay Sherley, Individually and Madrigal Enterprises, LLC d/b/a Texas Rose Restaurant & Club*

Result:	Pending
Testified:	No
Deposition:	No
Report:	Yes
Plaintiff:	Michael Aranda 2020

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Ms. Elizabeth Wang  
Loevy & Loevy  
20160 Broadway  
Boulder, Colorado, 80302  
(720) 502-2103

*Adam Gray v City of Chicago Police Department*

Result:	Pending
Testified:	No
Deposition:	Yes
Report:	Yes
Plaintiff:	Adam Gray (2020)

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Ms. Chris Edwards  
Assistant City Attorney  
Austin City Attorney  
City Hall, 301 W.2<sup>nd</sup> Street, P.O. Box 1546  
Austin, Texas 78767 – 1546  
(512)974-2147

*Bernstein v. City of Austin and Travis County*

Result:	MSJ City of Austin
Testified:	No
Deposition:	No
Report:	Yes
Defendant:	City of Austin (2020)

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Mr. Woody Glass  
Ward & Glass  
1601 36<sup>th</sup> Ave. NW  
Norman, Oklahoma 73072  
(405) 360-9700

*Michael Dudley Cooper v. City of Walters, Ok.*

Result:	Settled out of court
Testified:	No
Deposition:	No
Report:	Yes
Plaintiff:	Eric Cooper (2020)

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Hal Cook  
Cook & Cossio  
620 w. 3<sup>rd</sup> Street, Suite 404  
Little Rock, Arkansas 72201

*Randy McDaniel v. City of Pine Bluff*

Result:	Pending
Testified:	No
Deposition:	Yes
Report:	Yes
Plaintiff:	Randy McDaniel (2020)

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Ms. R. Spence  
Loevy & Loevy  
311 N. Aberdeen St.  
Chicago, Il 60607  
(312) 243-5900

*Norman McIntosh v Chicago PD Officers Bach, Evans & Furgoli*

Result:	Pending
Testified:	No
Deposition:	Yes
Report:	Yes
Plaintiff:	Norman McIntosh (2021)

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Travis Harrison  
Ward & Glass  
1601 36<sup>th</sup> Ave. NW  
Norman, Oklahoma 73072  
(405) 360-9700

*Norberg v Lincoln County Oklahoma et al.*

Result:	Pending
Testified:	No
Deposition:	No
Report:	Yes
Plaintiff:	Ellen Norberg (2021)

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Kelly Gier  
Kelly Gier Law Firm  
505 W. 12<sup>th</sup> Street  
Austin, Texas 78701  
(512) 348-6642

*Lincoln Alexander v. State of Texas (Murder)*

Result:	Pending
Testified:	No
Deposition:	No
Report:	No
Defendant:	Lincoln Alexander (2021)

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Justin Weiner  
Law Offices of Mike Head & Justin Weiner  
219 S. Prairieville Street  
Athens, TX 75751  
(903) 675-4300

*Jeremy Cook v. State of Texas (Att. Capital Murder)*

Result:	Pending
Testified:	No
Deposition:	No
Report:	Yes
Defendant:	Jeremy Cook (2021)

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Dan Richards  
Richards, Rodriguez & Skeith, LLP  
816 Congress Ave. Suite 1200  
Austin, TX 78701  
(512) 391-8230

Anthony Evans v City of Austin

Result:	Pending
Testified:	No
Deposition:	No
Report:	No
Defendant:	City of Austin (2021)

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Christine Karcher  
Downs & Stanford  
2001 Bryan Street  
Dallas, TX 75201  
(214) 748-7900

*DeMarcus Gates v. Frontline Protective Services*

Result:	Pending
Testified:	No
Deposition:	No
Report:	No
Defendant:	Frontline Protective Services (2021)

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Mr. Gray Laird  
Assistant City Attorney  
Austin City Attorney  
City Hall, 301 W.2<sup>nd</sup> Street, P.O. Box 1546  
Austin, Texas 78767 – 1546  
(512)974-2147

*Meredith Drake*  
*Jose Herrera*  
*Tyree Talley*  
*Sam Kirsch*  
*Christen Warkoczewski*  
*V*  
*City of Austin, et al*

Result:	Pending
Testified:	No
Deposition:	No
Report:	No
Defendant:	City of Austin (2021)